DOCUMENTS DEPARTMENT

CLOSED
STACKS

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY

SAN FRANCISCO
PUBLIC LIBRARY

REFERENCE
BOOK

Not to be taken from the Library

DEC 1 2 1995

SAN FRANCISCO PUBLIC LIBRARY

3 1223 03475 3211

MINUTES

JANUARY 5, 1991 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Saturday, January 5, 1991 at 8:00 a.m. in a Special Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Lee
RECUSED: Commissioner Keker

HEARING OF CAPTAIN WILLIAM N. WELCH, TARAVAL STATION

The hearing of the disciplinary charges filed against Police Captain William N. Welch, Taraval Station, was called it having been continued from the Special Meeting of December 13, 1990.

Mr. Daniel H. Bookin, Attorney at Law, appeared on behald of the San Francisco Police Department.

Mr. Stephen Whitmore, Attorney at Law, appeared on behald of Captain William N. Welch.

DOCUMENTS DEPT.
MAR 7 = 1991
SAN FRANCISCO PUBLIC LIBRARY

Mr. James Collins, Attorney at Law, appeared on behalf of Lieutenant Thomas J. Lang.

Mr. James Lassart, Attorney at Law, appeared on behalf of Sergeant James B. Hall.

The following witnesses were called by the Defense, were sworn and testified:

Gwenn Bell, Dean - Vocational Area, Napa Valley College
Lieutenant Alan Benner, Taraval Station
Sergeant James B. Hall, Field Operations Bureau
Lieutenant Tom Lang, Company E

The following exhibits were entered into evidence by the Defense:

Exhibit W — Audio Tape of Interview of Sgt. James Hall by Sgt. Wilmerding, Management Control Division, 9/19/88
W-1 — Transcript of above

Exhibit X — Audio Tape of interview of Sgt. J. Hall by Sgt. Wilmerding, Management Control Division, 5/18/89
X-1 — Transcript of above

The hearing was then adjourned to be continued to a Special Meeting on Saturday, January 19, 1991 at 9:00 a.m. to 1:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
RECUSED: Commissioner Keker

Recesses taken during the hearing of Captain Welch:

9:50 a.m. to 10:05 a.m.
11:00 a.m. to 11:10 a.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

HEARING OF LIEUTENANT THOMAS J. LANG, NORTHERN STATION

The hearing of the disciplinary charges filed against Police Lieutenant Thomas J. Lang, Northern STation, was called it having been continued from the Special Meeting of December 13, 1990.

Mr. Daniel H. Bookin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. Stephen Whitmore, Attorney at Law, appeared on behalf of Captain William N. Welch.

Mr. James Collins, Attorney at Law, appeared on behalf of Lieutenant Thomas J. Lang.

Mr. James Lassart, Attorney at Law, appeared on behalf of Sergeant James B. Hall.

The following witnesses were called by the Defense, were sworn and testified:

Gwenn Bell, Dean - Vocational Area, Napa Valley College
Lieutenant Alan Benner, Taraval Station
Sergeant James B. Hall, Field Operations Bureau
Lieutenant Tom Lang, Company E

The following exhibits were entered into evidence by the Defense:

Exhibit W — Audio Tape of Interview of Sgt. James Hall by Sgt. Wilmerding, Management Control Division, 9/19/88
W-1 — Transcript of above

Exhibit X — Audio Tape of interview of Sgt. J. Hall by Sgt. Wilmerding, Management Control Division, 5/18/89
X-1 — Transcript of above

The hearing was then adjourned to be continued to a Special Meeting on Saturday, January 19, 1991 from 9:00 a.m. to 1:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
RECUSED: Commissioner Keker

Recesses taken during the hearing of Lieutenant Lang:

9:50 a.m. to 10:05 a.m.
11:00 a.m. to 11:10 a.m.

(The entire proceedings were taken in shorthand by Ms. Linda Pransky, CSR.)

HEARING OF SERGEANT JAMES B. HALL, FIELD OPERATIONS BUREAU, HEADQUARTERS COMPANY

The hearing of the disciplinary charges filed against Police Sergeant James B. Hall, Field Operations Bureau, Headquarters Company, was called it having been continued from the Special Meeting of December 13, 1990.

Mr. Daniel H. Bookin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

5 36235 SF:ECONO JFL
162 SF 11/22/95 70-

Mr. Stephen Whitmore, Attorney at Law, appeared on behalf of Captain William N. Welch.

Mr. James Collins, Attorney at Law, appeared on behalf of Lieutenant Thomas J. Lang.

Mr. James Lassart, Attorney at Law, appeared on behalf of Sergeant James B. Hall.

The following witnesses were called by the Defense, were sworn and testified:

Gwenn Bell, Dean - Vocational Area, Napa Valley College
Lieutenant Alan Benner, Taraval Station
Sergeant James B. Hall, Field Operations Bureau
Lieutenant Tom Lang, Company E

The following exhibits were entered into evidence by the Defense:

Exhibit W — Audio Tape of Interview of Sgt. James Hall by Sgt. Wilmerding, Management Control Division, 9/19/88
W-1 — Transcript of above

Exhibit X — Audio Tape of interview of Sgt. J. Hall by Sgt. Wilmerding, Management Control Div., 5/18/89
X-1 — Transcript of above

The hearing was then adjourned to be continued to a Special Meeting on Saturday, January 19, 1991 from 9:00 a.m. to 1:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
RECUSED: Commissioner Keker

Recesses taken during the hearing of Sergeant Hall:

9:50 a.m. to 10:05 a.m.
11:00 a.m. to 11:10 a.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/6089M

SF
345
2
9/91

MINUTES

JANUARY 9, 1991 EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice 850 Bryant Street on Wednesday, January 9, 1991 at 5:00 p.m. in an Executive Session.

Attorney-Client Conference

Linda Hallaji vs. City and County of S.F.

JANUARY 9, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, January 9, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

APPROVAL OF MINUTES OF MEETING OF NOVEMBER 14, 1990 AND NOVEMBER 28, 1990

Approval of Minutes of Meeting of November 14, 1990 and November 28, 1990, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 10-91

REVOCATION OF TAXICAB PERMIT #T0710 ISSUED TO ROBERT C. WASHINGTON, DUE TO DEATH OF THE PERMIT HOLDER

WHEREAS, the request of the Chief of Police for revocation of Taxicab Permit #T0710 issued to Robert C. Washington was called, it having been set for this date; and

WHEREAS, the death of Robert C. Washington has been verified by the Permit Section; and

WHEREAS, pursuant to San Francisco Charter Appendix F, Section 1(a), the permit reverts to the City and County of San Francisco upon death of a permit holder; therefore be it

RESOLVED, that is is the findings and decision of the Commission, based on the evidence presented, to revoke Taxicab Permit #T0710 issued to Robert C. Washington.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 11-91

TAXICAB PERMIT APPLICATION OF NEIL C. LYM

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through

June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Neil C. Lym, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Neil C. Lym.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 12-91

TAXICAB PERMIT APPLICATION OF DIRK NEYHART

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Dirk Neyhart, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Dirk Neyhart.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 13-91

LINDA HALLAJI vs. CITY AND COUNTY OF S.F., et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda M. Hallaji in the sum of $40,000 in San Francisco Superior Court No. 909722 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 1983 through April 1988 and continuing (alleged)

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

POLICE COMMISSION REPORT

Commissioner Giraudo announced that the Police Commission met this evening in Executive Session with the City Attorney on litigation matters and no vote was taken.

(a) MOTION ON CALENDARING NEW MATTERS

None.

(b) PUBLIC COMMENTS

Mr. Keith McHenry, Food not Bombs, said he and other activist support the idea of not sending any police any of the demonstrations against the war. He said it would be great if the SFPD would join the protestor and help in protesting this war.

Pat Franco made a complaint against the OCC for not properly investigating her case. Commissioner Giraudo ask for the OCC Director to report back on this matter next week.

Mr. Marty Mulkey, representing Squelch, The Police Misconduct Focus Group of Queer Nation, said they wanted to protest the reduction of charges filed against Captain Cairns. He submitted a petition to the Commission in that regard.

Mr. Everett Barroness wants Commission to do its job, police misconduct should be punished because what they did on October 6, 1989 was a violation of a lot of persons human rights.

Mr. Gerard Koskovich commented on charges being improper as filed against Captain Cairns. He then said on the investigation of the sweep case, an investigation that took a year and a half was so shabby, so poorly reasoned and so entirely faulty in its use of evidence and its analysis of the facts and he intends to make that quite clear in his appeal for an investigative hearing.

Mr. Sol Weiner, retired Lieutenant of Police, said he was not here to gripe about anyone but was here to pay respects to Lieutenant Will Frazier who is getting ready to retire as this is his last meeting before he retires and he wanted to wish him well.

Ms. Rebecca Heron registered complaint against two (2) Potrero Police Station Officers. She was advised to file official complaint with the OCC.

Mr. Scott Hester said he would like to know why the OCC investigation has not been made public, why the police has carte blanche to hit people. Langer explains confidentiality of investigation. Commissioner Craig explains Commission position on investigation. Commissioner Giraudo schedules January 23, 4:00 P.M. Executive Session and Regular Meeting shedule for 6:00 P.M.

RESOLUTION NO. 6-91

SETTING OF DATE FOR HEARING OF CHAGES FILED AGAINST CAPTAIN RICHARD J. CAIRNS, INVESTIGATIONS BUREAU

WHEREAS, the setting of a date for hearing of disciplinary charges filed against Captain Richard J. Cairns, Investigations Bureau, was called it having been set for this date; and

WHEREAS, it was requested by the Police Commission that the setting of date for hearing in the charges filed against Captain Cairns be continued to January 30, 1991; therefore be it

RESOLVED, that the setting of date for hearing in the charges filed against Captain Richard J. Cairns is scheduled for Wednesday, January 30, 1991 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

CHIEF'S REPORT TO THE POLICE COMMISSION

No report tonight other than what's on the agenda.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer thanked Lieutenant Willie Frazier for service. He commented on reactions to Castro sweep investigation and also ACT UP investigation.

RESOLUTION NO. 1-91

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $11,523,772.00 FOR POLICE STATION RENOVATIONS

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation amounting to $11,523,772 which will appropriate the proceeds from the sale of bonds on January 9, 1991, to fund the renovation of various Police Department facilities.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 2-91

DEPARTMENT PRESENTATION OF THE SELECTED SITE FOR A NEW MISSION POLICE STATION

RESOLVED, that the Police Commission hereby approves the Department presentation of the selected site for a new Mission Police Station as presented.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 3-91

OCC POLICY RECOMMENDATION - GENERAL ORDER F-4, "USE OF FORCE"

RESOLVED, that the Police Commission hereby approves the OCC policy recommendation on General Order F-4, "Use of Force" as per attached.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 9-91

SETTING OF DATE FOR DECISION IN CHARGES FILED AGAINST OFFICER JILYAN ALEXA RAYMER, NORTHERN STATION

WHEREAS, the setting of a date for decision in the disciplinary charges filed against Officer Jilyan Alexa Raymer, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by the Police Commission that the setting of date for decision in the charges filed against Officer Raymer be continued for three weeks; therefore be it

RESOLVED, that the setting of date for decision in the charges filed against Officer Jilyan Alexa Raymer is scheduled for Wednesday, January 30, 1991 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 4-91

8222 HOUSING POLICE OFFICERS SALARY

WHEREAS, the Police Commission directed a reclassification study of 8222 Housing Police Officers to Q-2 Police Officers, such study was conducted and the General Manager of Civil service in conjunction with the City Attorney has determined that reclassification cannot occur, and

WHEREAS, the General Manager of Civil Service has concluded that 8222 Housing Police Officers: "When assigned the duties of Q-2 Police Officer, Class 8222 shall be paid the salary schedule the top step of which is closest to but does not exceed the top step of the Q-2 Police Officer salary range"; therefore be it

RESOLVED, it is the decision of the Police Commission that Class 8222 Housing Police Officers shall, when assigned the duties of Q-2 Police Officer, be paid the salary schedule the top step of which is closet to, but does not exceed the top step of the Q-2 Police Officer salary range.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

PUBLIC DISCUSSION ON AN IDEA FOR THE MAYOR TO APPOINT A COMMITTEE WHICH WOULD DESIGN AND IMPLEMENT A SYSTEM OF POLICE DISCIPLINE FOR THE SAN FRANCISCO POLICE DEPARTMENT

Commissioner Giraudo stated that the Mayor's Office is in process of appointing the committee and will wait for the Mayor's response.

RESOLUTION NO. 5-91

ADOPTION OF PROPOSED POLICE COMMISSION RESOLUTION ON TRANSITION PERIOD FOR NEW INTELLIGENCE POLICIES

WHEREAS, with the adoption of the Civil Disturbance Section Guidelines along with other new policies, the Police Commission is establishing a comprehensive policy scheme governing information involving First Amendment activity. These policies define what sort of information may be recorded, where and for how long it may be stored, and the procedures by which members of the public may seek access to the information, and

WHEREAS, only the Civil Disturbance Section will be permitted to conduct investigations involving First Amendment activity and to store information involving these investigations. The public may seek access to these records through a special process provided in the Section's Guidelines, and

WHEREAS, only Event Commanders (or their designees) may conduct limited Event Planning Inquiries prior to certain types of public gatherings. Information gathered as part of these Inquiries shall be stored in the Office of the Deputy Chief of the Field Operations Bureau and shall be considered to be public record information, and

WHEREAS, "It is the policy of the department not to maintain inappropriate information in its files," (Guidelines, Section VI.D). Further, the department is prohibited from retaining information involving First Amendment activity unless specifically authorized by these policies. (General Order F-7, Section III), and

WHEREAS, these new policies will necessarily require some period of transition. The department will be required to evaluate the information and records currently in its possession to determine whether or not, under the new policies, it is appropriate and authorized to retain them. However, the Civil Disturbance Section Guidelines also provide a special procedure allowing the public to seek access to records that previously may have been considered to be confidential intelligence information;

THEREFORE, in order to better serve both of these policy goals, all provisions of the Civil Disturbance Section Guidelines shall become effective immediately, except:

1. Section VI.D regarding the purging or destruction of files which shall become effective one year after the date of this resolution; and,

2. Section VII regarding public access to Civil Disturbance Section records which shall become effective six months after the date of this resolution.

RESOLVED, in establishing this transition period, it is the intent of the Police Commission, first, to allow the department adequate time to determine which of its current files should be destroyed under the new policies. Then, after this initial six month sorting period but prior to the destruction of these records, members of the public may begin to seek access to both new and old records pursuant to the process detailed in Section VII of the Guidelines. Finally, after one year the department shall destroy those previously collected records which would be inappropriate to retain under the new policies and the transition period will have been completed; therefore be it further

RESOLVED, the Review Committee of the Police Commission (Guidelines, Section V) shall be empowered to monitor department compliance with this transition process.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 7-91

STATUS ON CHARGES AGAINST POLICE OFFICER EMILY R. FIELDS, WARRANT BUREAU

WHEREAS, the date for the status report on the disciplinary charges filed against Police Officer Emily R. Fields, Warrant Bureau, was called it having been continued from the meeting of December 19, 1990; and

WHEREAS, Officer Fields is presently under suspension, and

WHEREAS, it is the decision of the Police Commission that Officer Fields is to continue her suspension until she reaches the ninety (90) days as ordered by Resolution No. 610-89; therefore be it

RESOLVED, that Officer Fields is to be on suspension until Janury 21, 1991 at 2400 hours, and be it further

RESOLVED, Officer Fields is to see the Police Physician to monitor her progress.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

HEARING OF OFFICER PAMELA WERMES, INVESTIGATIONS BUREAU - FENCING SECTION

The decision in the disciplinary charges filed against Police Officer Pamela Wermes, Investigations Bureau - Fencing Section, was called it having been set for this date. Officer Pamela Wermes was charged with violating the Rules and Procedures as follows:

SPECIFICATION 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which brings discredit on the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Fred H. Lau, Acting Chief of Police of the San Francisco Police Department.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Pamela Wermes appeared in person and was represented by Mr. Peter Furst, Attorney at Law.

Closing statements were made by both Prosecuting and Defense Attorneys.

All Commissioners present acknowledged reading the transcripts and examining the evidence during the taking of evidence in this hearing.

Based on these findings, the Commission requested a recommendation from Chief of Police Willis A. Casey. The following recommendation was made by the Chief of Police:

SPECIFICATION NO. 1

Thirty (30) days suspension

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 8-91

DECISION - HEARING OF OFFICER PAMELA WERMES, INVESTIGATIONS BUREAU, FENCING SECTION

WHEREAS, on August 10, 1990, Fred H. Lau, Acting Chief of Police of the San Francisco Police Department, made and served charges against Officer Pamela Wermes, and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION 1

(1) At all times herein mentioned, Pamela Wermes, Star No. 1717 (hereinafter referred to as "the accused"), was and is a police officer employed by the San Francisco Police Department and assigned to the Investigations Bureau - Fencing Section;

(2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;

(3) On or about May 25, 1990, at or about 2210 hours, the accused, while off duty, was driving a motor vehicle at or near 16903 Armstrong Woods Road, in an unincorporated area of Sonoma County near Guerneville, California, when the vehicle she was driving backed into and struck a garage building located at that place;

(4) A California Highway Patrol Officer parked near that location had earlier observed the accused's vehicle, heard the collision, looked and saw the accused drive her pickup truck forward from the spot where her vehicle contacted the garage.

(5) A California Highway Patrol Officer approached the accused in her vehicle. She explained that she did not see the garage and in the course of this explanation, the officer observed that the accused's eyes were red and watery, that her speech was slurred and her breath conveyed the odor of an alcoholic beverage;

(6) The California Highway Patrol Officer administered a field sobriety test which the accused did not perform as demonstrated. The officer formed the opinion that the accused was under the influence of alcohol while operating her vehicle at that time and place;

(7) The accused was transported to the Sonoma County Jail where she completed a breath test which showed her blood alcohol level to be .10% by weight, on two successive tests.

(8) California Vehicle Code Section 23152(b) makes it "Unlawful for any person who has 0.08% or more, by weight, of alcohol in his or her blood to drive a vehicle" in the State of California;

(9) The accused, by driving a motor vehicle on the streets or highways of the State of California while under the influence of alcohol, by driving a motor vehicle on the streets or highways of the State of California with a blood alcohol level of 0.10 percent by weight, and by causing property damage to a building while so driving, separately and cumulatively, has engaged in conduct which constitutes violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which

reflects discredit upon the department or any member thereof or is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures, shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, the taking of evidence by Commissioner Gwenn Craig on the disciplinary charges filed against Police Officer Pamela Wermes was conducted on Tuesday, October 9, 1990 and Tuesday, November 13, 1990, pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and on Wednesday, January 9, 1991, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specification 1 as preferred by the Chief of Police against Police Officer Pamela Wermes are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline be imposed:

SPECIFICATION 1

Fifteen (15) days suspension

and be it further

RESOLVED, that the fifteen (15) calendar days suspension shall commence on Wednesday, January 30, 1991 at 0001 hours and end Wednesday, February 13, 1991 at 2400 hours.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

Recess taken during the hearing of Officer Wermes:

7:44 p.m. to 7:51 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, adjourned at 8:00 p.m. in memory of Mrs. Estelle Scott, wife of former Police Chief Donald Scott.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6071M

MINUTES

JANUARY 16, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco held their Regular Meeting at A.P. Gianini Middle School, 39th Avenue and Orgtega at 6:00 p.m..

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

APPROVAL OF MINUTES OF MEETING OF DECEMBER 5, 1990

Approval of Minutes of Meeting of December 5, 1990, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against City and County of San Francisco:

RESOLUTION NO. 15-91

DAVID WANG vs. CITY AND COUNTY OF SAN FRANCISCO, ET AL

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of David Wang in Municipal Court No. 003-514 in the amount of $1,000.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 14, 1987

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

MOTION ON CALENDARING OF NEW MATTERS

Attorney Tito Torres, representing Officer Clifton Matthews, requested to re-schedule the Setting of Date for Taking of Evidence to February 20.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief of Police Willis Casey reported that there was a large demonstration that is on-going in downtown, San Francisco and informed the Commission of the department plans regarding anticipated demonstrations for the next few days.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Langer explained the OCC's duties and responsibilities.

RESOLUTION NO. 14-91

REQUEST FOR WITHDRAWAL OF APPEAL OF THE CHIEF'S SUSPENSION IMPOSED ON INSPECTOR THOMAS G. PARISI, GENERAL WORK SECTION

WHEREAS, a letter was received from Paul Chignell, Vice President of the San Francisco Police Officers' Association, representing Inspector Thomas G. Parisi, General Work Section, requesting withdrawal of appeal of Chief's suspension imposed on Inspector Parisi, and

WHEREAS, the Chief has agreed to a rehearing of this matter and Inspector Parisi has waived any right now or in the future to appeal this matter to the Police Commission; therefore be it

RESOLVED, the request for withdrawal of appeal of the Chief's suspension imposed on Inspector Thomas G. Parisi is hereby approved.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

CAPTAIN WILLIAM N. WELCH, COMMANDING OFFICER, TARAVAL STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE TARAVAL DISTRICT

Captain Welch addressed the Commission regarding plans for the district.

PUBLIC COMMENTS

Numerous residents and business persons of the Taraval District addressed the Commission and Captain William Welch regarding problems, concerns, suggestion and support for Police Department.

PUBLIC HEARING ON PROCEDURE FOR POLICE COMMISSION HEARING OF A DISCIPLINARY CASE WHERE THE CHIEF OF POLICE AND OCC DIRECTOR DISAGREE ON WHETHER DISCIPLINARY ACTION IS APPROPRIATE

Continued to meeting of January 23, 1991.

The meeting, thereafter, was adjourned at 7:35 p.m..

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6079M

SF
P45
#2
1/23/91

MINUTES

JANUARY 23, 1991 EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice 850 Bryant Street on January 23, 1991 at 3:45 p.m. in an Executive Session.

DOCUMENTS DEPT.
MAR 21 1991
SAN FRANCISCO
PUBLIC LIBRARY

1. Attorney-Client Conference

   a. Dolores Huerta vs. CCSF
   b. Patrol Special Officers vs. CCSF
   c. Mercedes Calman vs. CCSF - $15,000.00

2. Personnel Matter

JANUARY 23, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, January 23, 1991 at 6:00 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

APPROVAL OF MINUTES OF MEETING OF DECEMBER 12, 1990

Approval of Minutes of Meeting of December 12, 1990, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against City and County of San Francisco:

RESOLUTION NO. 20-91

MERCEDES CALMAN vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Mercedes Calman in Superior Court No. 881-002 in the amount of $15,000.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 16, 1987

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

POLICE COMMISSION REPORT

a. MOTION ON CALENDARING OF NEW MATTERS

EXTENSION OF TIME IN WHICH TO FILE SPECIFICATIONS O.C.C. CASE #1047-89

Mr. Robert Martin, Management Control Division, requested two week extension of time in which to file specifications.

RESOLUTION NO. 16-91

EXTENSION OF TIME IN WHICH TO FILE SPECIFICATIONS ON OCC CASE #1047-89

RESOLVED, that the request of Management Control Division for an extension of time in which to review, prepare and file charges in OCC Case #1047-89 is hereby approved.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

c. PUBLIC COMMENTS

Keith McHenry addressed the Commission various topics including Food not Bombs.

John Crew, ACLU, addressed the Commission regarding 647(i) and lack of policy regarding same and requested to schedule it for January 30 Commission Meeting. Deputy Chief Murphy responded for the Department and consultations with the City Attorney's Office. Commissioner Keker expressed concern that probably a Training Bulletin should be issued. George Riley of the City Attorney's Office gave his position status regarding recent court challenge. Chief Casey said he will put together a proposal regarding this matter for meeting of January 30, 1991.

John Crew discussed Civil Disturbance Guidelines and asked that the Commission select the review Committee soon.

At this time, Commissioner Giraudo stated that the Commission met in regards to Captain Cairns and indicated that the OCC and Police Department will meet next week regarding number of allegations and will report to the Commission next meeting, January 30, 1991.

Commissioner Giraudo announced the approved recommendation of the City Attorney for settlement of $825,000.00 in case of Huerta vs. CCSF

b. POLICE COMMISSION ELECTION OF NEW OFFICERS

Commissioner Lee nominated Commissioner Keker for President, Commissioner Campana seconded and unanimously approved.

Commissioner Campana nominated Commissioner Craig for Vice President, Commissioner Keker seconded and unanimously approved.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Willis Casey reported on anti-war demonstrations. He said that Tuesday through Saturday, a total of 1,297 arrests (mass arrests of demonstrators) not including individual arrest which were also made. He also reported that a total of nine officers were injured during that time period.

The Chief reported that the cost to the department for overtime to police on the anti-war demonstrations for same period is $1,050,891. He said in regards to a newspaper report of request for

full investigation under the Civil Disoder Guidelines of organization known as ACT-UP, the report was received by him. This request was denied and there will be no investigation.

Commissioner Giraudo stated that he received a phone call from a group of car wash establishments in San Francisco, Daly City and Berkeley and they expressed gratitude for their efforts during the week of demonstrations and they have offered a free car wash to all members of department during the next 30 days. Information to be forwarded to Police Officers Association for bulletin.

Commissioner Keker thanks the department for their efforts during the week of demonstrations.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer reported two (2) complaints of Ms. Patricia Franco. In 1990, the OCC investigated 1,144 cases of which 65 were voided, 1,079 cases were fully investigated, 8.34% were sustained. A complete report will be given during next week's meeting.

Mr. Langer requested to schedule two items for next week's calendar. One is the supplemental appropriation for $44,300 for moving expenses and the other is for $1,400 for jackets for investigators and staff to cover demonstrations.

RESOLUTION NO. 17-91

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL ON IMMEDIATE FILLING OF VACATED POSITION 0488 COMMANDER

WHEREAS, one 0488 Commander position has become vacant from the San Francisco Police Department, and

WHEREAS, the vacancy, due to service retirement, leaves a severe gap in the upper management of the San Francisco Police Department, and

WHEREAS, to permanently fill the position before the accumulated sick leave and vacation time have been paid requires a resolution of the Board of Supervisors, and

WHEREAS, this procedure is authorized by the Annual Appropriation Ordinance, Section 10, Subsection 1, and

WHEREAS, without the approval of the Board of Supervisors, this position could not be filled permanently until September 6, 1991 and,

WHEREAS, there are sufficient funds appropriated to cover the cost of this procedure; therefore be it

RESOLVED, that the Police Commission does hereby request that the Mayor and the General Manager, Personnel of Civil Service, recommend to the Board of Supervisors the adoption of the attached resolution and, be it further

RESOLVED, that the Police Commission requests that the Board of Supervisors adopt the attached resolution authorizing the immediate filling of the vacated position of 0488 Commander.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

RESOLUTION NO. 18-91

PROPOSED OCC ORDER P-5, "CASE MANAGEMENT PROCEDURE"

RESOLVED, that the proposed new OCC Order P-5, "Case Management Procedure" is hereby taken off calendar until further notice by the Office of Citizen Complaints.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

PUBLIC HEARING ON PROCEDURE FOR POLICE COMMISSION HEARING OF A DISCIPLINARY CASE WHERE THE CHIEF OF POLICE AND OCC DIRECTOR DISAGREE ON WHETHER DISCIPLINARY ACTION IS APPROPRIATE

After discussion, Commissioner Craig motion to approve including paragraph 2, page 2, no second. Commissioner Keker motion, seconded by Commissioner Campana to delete paragraph 2, page 2 and it was unanimously approved.

RESOLUTION NO. 19-91

PROCEDURE FOR POLICE COMMISSION HEARING OF A DISCIPLINARY CASE WHERE THE CHIEF OF POLICE AND OCC DIRECTOR DISAGREE ON WHETHER DISCIPLINARY ACTION IS APPROPRIATE

WHEREAS, pursuant to Charter Section 3.530 the Police Commission has the power and duty to organize, reorganize and manage the Police Department ("the Department") and Office of Citizen Complaints ("OCC"); and

WHEREAS, the Commission's effective management of the Department and the OCC necessarily depends on cooperation and assistance from the Chief of Police and OCC Director regarding all matters affecting their respective departments and personnel; and

WHEREAS, pursuant to Charter Section 3.530-2, the OCC Director recommends to the Chief of Police disciplinary action for members against whom complaints have been sustained; and

WHEREAS, on the basis of the OCC Director's recommendation, the Chief decides whether disciplinary action is warranted and if the Chief agrees with the recommendation, the Chief prepares a verified complaint and files the complaint with the Commission; and

WHEREAS, the Chief has the authority to file a complaint with the Commission but the Chief of Police is not the only person who can verify the complaint and the Commission may, if it chooses, order the Chief to file a properly verified complaint; and

WHEREAS, the Commission wishes to become more informed of the OCC Director's recommended disciplinary actions and the Chief's disciplinary actions concerning uniformed members of the Department so that it may take appropriate action, if necessary; now, therefore be it

RESOLVED, that in all cases where the OCC Director and the Chief of Police disagree on whether disciplinary action is appropriate in a particular case, the following procedures shall apply:

1. The Chief of Police shall return the file to the OCC Director indicating the disagreement.

2. Upon receipt of a disciplinary case from the Chief indicating the Chief's disagreement, the OCC Director shall reopen the investigation, if necessary. With the assistance of the OCC staff attorney, the OCC Director may prepare a verified complaint setting forth the acts complained of against the officer. The decision to prepare the verified complaint shall be at the discretion of the OCC Director.

3. Thereafter, the OCC Director shall forward the verified complaint to the Chief of Police.

4. The Chief of Police shall decide whether to file the verified complaint with the Commission, thereby invoking the Commission's jurisdiction to hear the disciplinary charges against the officer. In determing whether to file the verified complaint with the Commission, the Chief shall give due weight to the verification of the complaint by the OCC Director and the Commission's stated policy that the Chief and OCC Director implement the Commission's policy effectively to respond to complaints of misconduct and to pursue discipline of errant officers. If the Chief decides not to file with the Commission the verified complaint prepared by the OCC, the Chief shall immediately thereafter so inform the Commission in writing. Thereafter, the Commission shall review the Chief's and OCC Director's decisions. After its review, the Commission may take whatever action it deems necessary and appropriate, including but not limited to ordering the Chief to file the verified complaint.

5. As part of the OCC Director's report and without disclosing confidential information (to the extent any exists), the OCC Director shall immediately report to the Commission any case where the OCC Director and the Chief, despite their good faith discussions, fail to reach agreement on whether disciplinary action is appropriate in a particular case or in a particular finding in a case.

6. The OCC Director shall state in writing at the time he/she forwards a sustained OCC case to the Chief of Police if he/she believes the case should be heard by the Commission.

7. As part of its statistical reports, the OCC shall publish data regarding the implementation of this policy. This data shall include the number of disagreements, the number of complaints verified by the OCC Director, the number of these complaints filed by the Chief of Police, the number of Police Commission directives that the Chief of Police file

these complaints, the allegations involved, and the disposition of these allegations (whether or not heard by the Police Commission).

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

The meeting, thereafter, was adjourned at 6:50 p.m..

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6077M

MINUTES

FEBRUARY 13, 1991 CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice 850 Bryant Street on Wednesday, February 13, 1991 at 5:00 p.m. in Closed Session.

Attorney-Client Conference

Leola Gardner vs. CCSF, et al

FEBRUARY 13, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, February 13, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

APPROVAL OF MINUTES OF MEETING OF JANUARY 9, 1991

Approval of Minutes of Meeting of January 9, 1991, the Commissioners having received, approved, and returned copies of same.

DOCUMENTS DEPT.

APR 15 1991

SAN FRANCISCO PUBLIC LIBRARY

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 32-91

TAXICAB PERMIT APPLICATION OF PING Y. CHIU

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Ping Y. Chiu, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Ping Y. Chiu.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 33-91

LEOLA GARDNER vs. CCSF, et al

RESOLVED, that the recommendation of the City Attorney for the settlement of the litigation of Leola Gardner entitled "Leola Gardner vs. City and County of San Francisco, et al" in the amount of $60,000.00 in Superior Court No. 833-652 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 15, 1984

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

RESOLUTION NO. 34-91

SARAH FRAZIER, et al vs. CCSF, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Sarah Frazier entitled "Sarah Frazier vs. City and County of San Francisco, et al" in Superior Court No. 884-746 in the amount of $1,500.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 13, 1986

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

POLICE COMMISSION REPORT

Commissioner Keker stated that the Commission met in Executive Session, discussed pending litigation matter and no vote was taken. Commissioner Keker requested quarterly report from Chief and that the Department Goals be calendared for meeting of March 13th.

b.) PUBLIC COMMENTS

Diane Christiansen, OCC and shop steward, spoke about OCC budget and was advised to respond when budget is called.

Mr. John Crew, ACLU, talked about problems of enforcement of 647(i). He also talked about complaints of enforcement and harassment by officers. He also discussed a citation issued for sleeping in the park.

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief Frank Reed reported about the Hate Crimes Investigators Association.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer reported that this office has developed a procedure on monitoring demonstrations. It is in final draft form, a review has been made with Deputy Chief Murphy and requested calendaring of OCC Order 0-1, Monitoring of Demonstrations, on March 6th meeting.

POLICE COMMISSION REVIEW AND ACTION ON RULES GOVERNING TRIALS OF DISCIPLINARY CASES

Extended to September 1, 1991.

DISCUSSION ON PROPOSED PATROL BUREAU SPECIAL ORDER ON "ENFORCEMENT OF PENAL CODE SECTION 647(i) IN PUBLIC PLACES

Deputy Chief Murphy talked about courts ruling against restraining order regarding 647(i).

Speakers:

Jeffery Pollack - Board Member, North Beach Chamber of Commerce. Presented a letter to Commissioners regarding their concerns.

Carla Javitz - Department of Social Services. Addressed the Commission on functions of the Department of Social Services, the availability of rooms and aids to those in need, both cash and housing. She also discussed various agencies contracted by the city that offer assistance.

John Crew - ACLU. Presented report from Independent Housing Services regarding homeless turn aways. He introduced Mr. Don Murphy who prepared report. Mr. Murphy explained how report was prepared. He then answered questions from the Commission. Mr. Crew then again addressed enforcement of 647(i). He suggested defining lodging law. Discussion with Commissioners followed regarding proposed Patrol Bureau Special Order content.

Alice Bernstein - Civil Rights Coordinator, Coalition on Homeless. Discussed two year study of citations issued regarding 647(i), not being enforced in Golden Gate Park. She talked about her concerns regarding proposed Special Order.

Scott Howge - Small Business Network, President. He expressed concerns of business owners regarding homeless in doorways, panhandling, etc.

Jolynn Lockley works at Flood Building, stated that she was assaulted three times during the last year on the way to work. She discussed her problems each day to and from work with street people or homeless.

Chief indicated the issue of discretion by the officers. He said that the order alone is not sufficient. A specific training program is needed so that officers do not abuse the discretion in the special order.

RESOLUTION NO. 30-91

SETTING OF DATE FOR HEARING OF CHARGES FILED AGAINST CAPTAIN RICHARD J. CAIRNS, INVESTIGATIONS BUREAU

WHEREAS, the setting of a date for hearing of disciplinary charges filed against Captain Richard J. Cairns, Investigations Bureau, was called it having been continued from the meeting of January 9, 1991; and

WHEREAS, the Police Commission received motions from Mr. Neil D. Eisenberg, Attorney at Law, representing Captain Cairns; and

WHEREAS, it was requested by the Police Commission that the date for decision on the motions be set for March 6, 1991, and the hearing dates be set for March 20, 1991 and March 23, 1991; therefore be it

RESOLVED, that the date for decision on the motions filed be set for Wednesday, March 20, 1991 at 4:00 p.m. and Saturday, March 23, 1991 at 9:00 a.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

RESOLUTION NO. 29-91

FISCAL YEAR 1991-1992 BASELINE BUDGET FOR THE SAN FRANCISCO POLICE DEPARTMENT AND SENIOR ESCORT PROGRAM

RESOLVED, that the Police Commission hereby approves the attached Fiscal Year 1991-1992 Baseline Budget for the San Francisco Police Department and the Senior Escort Program.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

PRESENTATION OF OCC BUDGET FOR FISCAL YEAR 1991-1992

Ms. Diane Christiansen, shop steward for OCC, presented a letter to Commission relating to case load and she stated that the new budget does not provide for any new investigators.

Ms. Irene Rapoza presented the OCC budget.

RESOLUTION NO. 28-91

OCC BUDGET FOR FISCAL YEAR 1991-1992

RESOLVED, that the Police Commission hereby approves the budget for Office of Citizen Complaints for Fiscal Year 1991-1992 as per attachment.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

RESOLUTION NO. 31-91

SENTENCING OF OFFICER JILYAN ALEXA RAYMER, NORTHERN STATION

WHEREAS, the sentencing in the disciplinary charges filed against Police Officer Jilyan Alexa Raymer, Northern Station, was called it having been set for this date; and

WHEREAS, it was requested by the Police Commission that the sentencing in the disciplinary charges filed against Officer Raymer be continued to March 13, 1991; therefore be it

RESOLVED, that the sentencing in the disciplinary charges filed against Officer Jilyan Alexa Raymer is continued to Wednesday, March 13, 1991 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Lee
ABSENT: Commissioners Giraudo, Keker

The meeting, thereafter, was adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6096M

F
45
2
0/91

MINUTES

FEBRUARY 20, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met at Raoul Wallenberg High School, 40 Vega on Wednesday, February 20, 1991 at 6:00 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Giraudo, Keker, Lee
ABSENT: Commissioner Craig

APPROVAL OF MINUTES OF MEETING OF JANUARY 16, 1991

Approval of Minutes of Meeting of January 16, 1991, the Commissioners having received, approved, and returned copies of same.

DOCUMENTS DEPT.
APR - 5 1991
SAN FRANCISCO PUBLIC LIBRARY

POLICE COMMISSION REPORT

Commissioner Keker said the Commission had nothing to report tonight.

CHIEF'S REPORT TO THE POLICE COMMISSION

Lieutenant Donald Carlson, Management Control Division, reported on review of disciplinary process. He reported also on draft on proposed General Order regarding disciplinary process. Commissioner Keker requested to review draft prior to meet and confer.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer addressed the audience regarding the duties and responsibilities of that office.

At this time, Commissioner Keker requested that on March 6, the Commission will calendar questions and comments regarding 911 performance audit. Mr. Scott Miller from the Controller's Office to attend and respond to report.

RESOLUTION NO. 35-91

SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER CLIFTON A. MATTHEWS, JR., TARAVAL STATION

WHEREAS, the setting of date to conduct taking of evidence by Commissioner Campana in the disciplinary charges filed against Police Officer Clifton A. Matthews, Jr., Taraval Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Tito A. Torres, Attorney at Law representing Officer Matthews, that the setting of date be continued to April 24, 1991, to allow time for the criminal charges to be resolved; and

WHEREAS, Mr. Torres waived the time limitation as set forth in General Order P-11, Section III-K; therefore be it

RESOLVED, that the setting of date for taking of evidence by Commissioner Campana in the disciplinary charges filed against Officer Clifton A. Matthews, Jr. be continued to Wednesday, April 24, 1991 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Giraudo, Keker, Lee
ABSENT: Commissioner Craig

CAPTAIN LAWRENCE MINASIAN, COMMANDING OFFICER, PARK STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE PARK DISTRICT

Captain Lawrence Minasian addressed the Commission and audience on police activities in the Park District.

PUBLIC COMMENTS

SPEAKERS:

Isaac Safdie - Vice President, Anza Vista Civic & Improvement Club, asked for the status of Community Relations Officers, discussed homeless in area, parking problem in area of Wallenberg High School.

Rob Weaver - Resident, Page Street, concerned about selling of drugs at intersections of Haight and Shrader and Haight and Cole.

Lorraine Petty - Property owner, resident of 625 Divisadero Street, presented petition for more foot patrol under CPOP (Community Police Officer Program).

A business owner, name not given, complimented Captain Minasian for his efforts.

Ira Duront - Director, Alamo Square Neighborhood Association, supported CPOP. Also presented a letter from the association, commended Commission on enforcement of 647(i).

Deborah Gallerman - Merchant, Haight Street, discussed problems on Haight St.

Carol Glosenger - President, Cole Valley Improvement Association, complimented on improvement on Haight Street recently but problems still exist. Discussed homeless enforcement.

Affifi - Resident, Fell & Divisadero, discussed crack houses in the area and what is being done to keep drug violators in jail after arrest. Talked about patrol specials.

Pat Nathew - Haight Asbury Merchant, discussed alternative sentencing for persons responsible for crime in area.

Tim Carico - Merchant and resident of the Haight. Talked of drug houses on 100 block of Belvedere Street, he suggested that possibly charging for police services each time they respond. There is charge for medical services, why not police. Commissioner Giraudo asked city to research and report back in two weeks.

Gail Dwkart - Owner of Haigh Street Deli, talked of crime concerns in area jas owner of business. Discussed drug dealing in the area.

An unidentified resident talked about drug dealings in area at night and discussed change from years ago.

The meeting, thereafter, was adjourned at 7:45 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6101M

F
5
3/91

MINUTES

MARCH 13, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, March 13, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

APPROVAL OF MINUTES OF MEETING OF JANUARY 30, 1991

Approval of Minutes of Meeting of January 30, 1991, the Commissioners having received, approved and returned copies of same.

DOCUMENTS DEPT.
1991
SAN FRANCISCO
PUBLIC LIBRARY

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 54-91

JANICE WONG vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Janice Wong entitled "Janice Wong vs. City and County of San Francisco, et al" in the amount of $10,000.00 in Superior Court No. 917 834 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 19, 1989

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

Commissioner Keker reported that the Commission met in Closed Session on litigation matter and no vote was taken.

(b) PUBLIC COMMENTS

Ms. Lydia Owens discussed actions of Officer Robert del Torre and homeless people. She also discussed her request for communications tapes and the response and information she received. She stated she did not receive copies of tapes but copies of CAD print out. She was given conflicting information on tape retention, and asks the Commission to look into the matter. Commissioner Keker asked Deputy Chief Lau to investigate and report back to the Commission at meeting of April 3.

Other speakers were Gerard Koskovich, Bill Steward, Frank Del Campo-Union Representative for civilian members of Department, who presented written response to the 911 audit and communications. Mr. Del Campo discussed his reponse. Commissioner Keker suggested that a copy of report be given to Mayor's Task Force (Deputy Mayor Gayle Orr-Smith).

Mr. John Crew, ACLU, discussed Intelligence Policy and Commissioner Keker suggested that he talk with Ms. Mara Rosales of the City Attorney's Office.

(c) THE NEW POA ADMINSTRATION

Introduction of new Police Officers Association.

Al Trigueiro - President
Gary Delagnes - Vice President
Steve Johnson - Secretary
Phil Dito - Treasurer.

President Al Trigueiro addressed the Commission regarding their administration agenda.

DISCUSSION ON CIVILIANIZATION OF POLICE COMMISSION SECRETARY POSITION

Deputy Mayor Gayle Orr-Smith discussed the process for civilianizing the Police Commission Secretary position. She suggested that the Commission prepare scope and work with her office. Commissioner Craig will coordinate with that office. Deputy Mayor Orr-Smith also discussed the Task Force.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief reported that $381,000 has been approved for repairs of Communications.

Deputy Chief Murphy presented statistics of 647(i) Police Code.

Chief Casey also stated that as of March 15th, police will no longer dispatch for parking complaints. This will be handled by the parking authority. The Police Commission stated that the public should be notified of that change.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer discussed OCC Order P-5 and will be calendared on April 10th. He also presented statistical reports for January 1991 to be included in the binders for Commissioners to review.

RESOLUTION NO. 47-91

AWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the provisions of General Order O-5, Sections 1-A and 1-C of the San Francisco Police Department, as approved by the Awards Committee on Friday, March 8, 1991; and

WHEREAS, Chief of Police Willis A. Casey has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Officer Miguel Granados is hereby awarded the Silver Medal of Valor and granted a reward of $300.00 as provided for under said Section of the Charter; and be it further

RESOLVED, that Officer Jerome DeFilippo, Officer James Garrity, Officer Mario Machi, Officer John Newman and Officer Robert Tayac, be, and they are hereby awarded Bronze Medals of Valor and granted rewards of $150.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Captain John E. Brunner, Sergeant Dirk Beijen, Sergeant Timothy Foley, Sergeant Stephen Gudelj, Sergeant Marion Jackson*, Sergeant Franklin Lee, Sergeant Eric Olsen, Sergeant Glenn Pennebaker, Sergeant Mark Potter, Sergeant David Shinn, Sergeant Neil Swendsen, Inspector Anthony Camilleri, Inspector Daniel Everson, Inspector Armand Gordon, Inspector Samuel Hamilton*, Inspector Raymond Hilvert, Inspector David Lambrecht, Inspector Jeffrey Lindberg, Inspector Susan Manheimer, Inspector Calvin Nutting, Inspector Armond Pelisetti, Inspector Harvey Rockwell, Inspector Robert Shepherd, Inspector Thomas Sullivan, Inspector Thomas Vigo, Inspector Steven Wilhelm, Officer Richard Alves, Officer John Bourne, Officer Mel Cardenas, Officer Richard Dell Agustino, Officer Heinz Hofmann, Officer Paul Lozada, Officer Nelson Lum, Officer David Seid, Officer Juanita Stockwell, Officer Victor Tsang, Officer Joanne Welsh, Officer Pamela Wermes be, and they are hereby awarded Meritorious Conduct Awards and granted a reward of $150.00 each, as provided for under said Section of the Charter.

*Two Meritorious Conduct Awards

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

ASSIGNMENT OF A COMMISSIONER AND SETTING OF A DATE IN THE APPEAL OF CHIEF'S SUSPENSION IMPOSED ON POLICE OFFICER DONALD RAMIREZ, MISSION STATION

Inspector Richard Corriea, Management Control, stated that Officer Ramirez was notified and did not wish to attend. The case was assigned to Commissioner Lee and the hearing date is to be set and heard in advance of the April 3rd meeting unless there is a time waiver from Officer Ramirez. If there is no time waiver, hearing transcript to Commissioners in sufficient time for review and decision be calendared for April 3rd.

RESOLUTION NO. 48-91

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE APPEAL OF CHIEF'S SUSPENSION IMPOSED ON OFFICER DONALD RAMIREZ, MISSION STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the appeal of the Chief's suspension imposed on Police Officer Donald Ramirez, Mission Station, was called it having been set for this date; and

WHEREAS, Commissioner Pius Lee is hereby assigned to conduct taking of evidence in the appeal of the Chief's suspension imposed on Officer Ramirez; and

WHEREAS, Officer Ramirez and/or his representative did not appear; therefore be it

RESOLVED, that unless the time limit is waived by Officer Ramirez, the date for taking of evidence by Commissioner Lee in the appeal of Chief's suspension imposed on Officer Ramirez will be set in advance of the April 3, 1991 meeting at a mutually agreeable date.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

HEARING ON THE MOTIONS FILED FOR CAPTAIN RICHARD CAIRNS, INVESTIGATIONS BUREAU

Discussion on closed hearing and Mr. Eisenberg conceded and welcomed an open hearing.

Commissioner Keker discussed number of perons wanting to attend and asked the Chief for assistance in allowing who is to attend. Public Affairs will handle seating and accomodations in Police Commission Hearing Room.

Bryndis Tobin, complainant, requested guaranteed seating during hearing. Jean Davis discussed anti-violence against Gay and Lesbian Community. Brian Bringardner requested seating during hearing. Gerard Koskovich stated witnesses should be guaranted seats during hearing.

Mr. John Crew, ACLU, stated limiting attendace is a problem for complainants.

Commissioner Keker discussed seating during hearing problems and no guarantee of same.

HEARING ON THE MOTIONS FILED FOR CAPTAIN RICHARD CAIRNS, INVESTIGATIONS BUREAU

RESOLUTION NO. 49-91

MOTION TO DISQUALIFY COUNSEL

RESOLVED, that the motion to disqualify Robert Martin, Attorney at Law for the San Francisco Police Department, is hereby denied.

MOTION DENIED BY PRESIDENT KEKER

RESOLUTION NO. 50-91

MOTION TO DISQUALIFY COMMISSIONER GWENN CRAIG

RESOLVED, that the motion to disqualify Commissioner Gwenn Craig is hereby denied.

MOTION DENIED BY PRESIDENT KEKER

RESOLUTION NO. 51-91

MOTION TO DISMISS ALL COMPLAINTS

RESOLVED, that the motion to dismiss all complaints, Eric Wilcox and Bryndis Tobin, as filed with the Commission, is hereby denied.

MOTION DENIED BY PRESIDENT KEKER

RESOLUTION NO. 52-91

MOTION FOR FURTHER DISCOVERY AND TO REQUIRE OCC TO PRODUCE ALL INFORMATION IN ITS POSSESSION

RESOLVED, that the motion for further discovery and to require the Office of Citizen Complaints to produce all information in its possession is hereby granted, and be it further

RESOLVED, any material not yet produced is to be given to Mr. Neil Eisenberg, Attorney at Law, 111 Pine Street, Suite 1400, San Francisco, CA 94111, by Friday, March 15, 1991, 5:00 p.m.

MOTION GRANTED BY PRESIDENT KEKER

RESOLUTION NO. 53-91

HEARING ON THE MOTION FILED FOR POLICE OFFICER JILYAN ALEXA RAYMER, NORTHERN STATION

WHEREAS, the hearing on the Motion for Continuance, Points and Authorities and Declaration in Support of Motion, filed by counsel for Officer Jilyan Alexa Raymer, Northern Station, was called, it having been set for this date, and

WHEREAS, continuance on the sentencing of Officer Raymer is granted and set for April 3, 1991; therefore be it

RESOLVED, that sentencing in the disciplinary charges filed against Officer Raymer is set for Wednesday, April 3, 1991 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

PUBLIC HEARING ON FOURTH QUARTERLY REPORT OF 1990 POLICE DEPARTMENT GOALS WHICH HAS BEEN ESTABLISHED BY THE MAYOR AND THE CHIEF OF POLICE AS A MEANS OF EVALUATING THE DEPARTMENT'S PERFORMANCE DURING 1990

Ms. Kathleen Hurley, Consent Decree, presented Hiring, Retention and Promotion Goals. Training and Police Personnel was presented by Lieutenant Robert Berry and Lieutenant Sam Craig presented Equal Employment Opportunity (EEO).

Deputy Chief Murphy presented staffing in Patrol. Lieutenant Gary Pisciotto presented Staff Inspection goals. Captain James Tedesco discussed organizational improvements..

Chief Casey stated that he will have bureaus submit goals and each Deputy Chief will submit goals

for their division. He also welcomed suggestions from Commission. Commissioner Lee was selected as the Commission Representative. New goals are to be set for the new fiscal year and will be calendared for May 22, 1991.

The meeting, thereafter, was adjourned at 8:55 p.m..

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6129M

F
45
2
3/27/91

MINUTES

MARCH 27, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met at the Star of the Sea Grammar School, 360 Ninth Avenue at 1700 hours in a Regular Meeting.

AYES: Commissioners Campana, Keker, Lee
ABSENT: Commissioners Craig, Giraudo

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 13, 1991

Approval of Minutes of Meeting of February 13, 1991, the Commissioners having received, approved and returned copies of same.

POLICE COMMISSION REPORT

No report.

DOCUMENTS DEPT.

MAY 2 8 1991

SAN FRANCISCO
PUBLIC LIBRARY

MOTION ON CALENDARING OF NEW MATTERS

No matters to calendar.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief stated that Captain Winters will address the audience as his report this devening.

OCC REPORT TO THE POLICE COMMISSION

Mr. Michael Langer gave overview of the functions and responsibilities of his staff. He rescheduled Senior Staff Duties Report over to April 24.

RESOLUTION NO. 57-91

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $523,627 TO PROVIDE FOR CONTINUED FUNDING OF WORKERS' COMPENSATION

WHEREAS, the Board of Supervisors appropriated $3,798,191 for Police Department Workers' Compensation in the current fiscal year, and

WHEREAS, the actual costs are estimated $4,321,818 by the City's Employees' Retirement System, and

WHEREAS, we have been requested by the Employees' Retirement System to request $523,627 to cover the Police Department's projected deficit; be it therefore

RESOLVED, that the Police Commission hereby approves a supplemental appropriation in the amount $523,627 to cover a projected deficit in the Workers' Compensation appropriation.

AYES: Commissioners Campana, Keker, Lee
ABSENT: Commissioners Craig, Giraudo

DOCUMENTS DEPT.

MAY 2 8 1991

SAN FRANCISCO
PUBLIC LIBRARY

RESOLUTION NO. 58-91

REQUEST TO AMEND BOARD OF SUPERVISORS RESOLUTION 400-91 - OCJP GRANT ON DRUG ABATEMENT PROJECT

WHEREAS, the Board of Supervisors approved Resolution No. 400-90, and

WHEREAS, Resolution no. 400-9 authorized the Chief of Police to apply for and accept a $74,450 State of Office of Criminal Justice Planning grant for a project entitled "San Francisco Department's Drug Abatement Project", and

WHEREAS, the Board did not authorize the expenditure of the funds, and

WHEREAS, the grant is an extension of an existing grant, and

WHEREAS, it is necessary to request that the Board amend Resolution No. 400-91, to allow for the expenditure of the funds; be it therefore

RESOLVED, that the Police Commission hereby requests that Board of Supervisors amend Resolution No. 400-90 to authorize the expenditure of $74,450 in State Office of Criminal Justice Planning grant fund for a project entitled "San Francisco Department's Drug Abatement Project".

AYES: Commissioners Campana, Keker, Lee
ABSENT: Commissioners Craig, Giraudo

RESOLUTION NO. 59-91

REQUEST FOR WITHDRAWAL OF APPEAL OF THE CHIEF'S SUSPENSION IMPOSED ON OFFICER DONALD RAMIREZ, MISSION STATION

WHEREAS, a letter was received from Officer Donald Ramirez, Mission Station, through his Commanding Officer, requesting withdrawal of his appeal of the Chief's suspensioin imposed on him; therefore be it

RESOLVED, the request for withdrawal of appeal of the Chief's suspension imposed on Officer Donald Ramirez is hereby approved.

AYES: Commissioners Campana, Keker, Lee
ABSENT: Commissioners Craig, Giraudo

CAPTAIN GREGORY WINTERS, COMMANDING OFFICER, RICHMOND STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE RICHMOND DISTRICT

Captain Winters discussed problems and actions of the police in the Richmond District.

PUBLIC COMMENTS

Speakers are:

Al Martino- Complaint regarding parking on sidewalks, expired registration and no front license plates on vehicles. Stated that his son has been cited why not others.

Edith McMillal- Thanked Commission especially Commissioner Giraudo for supporting efforts regarding curb cuts for handicapped. She also discussed homeless shelter at 6243 Geary and problem areas in the Richmond District.

Keith McHenry- Discussed arres last week by police and his efforts to homeless.

Kathryn Riordan- Discussed S.A.N. (Senior Action Network) efforts regarding Municipal Railway buses not pulling to curb because autos parked in same making it difficult for seniors to board.

Tom Barton- Discussed homeless shelter on Geary and autos parked on sidewalks.

Tom Fields- Member of steering committee for monthly meetings in Richmond District, discussed redistricting plan by Police Department.

David Paul Grace- Discussed problems of the homeless and proposed shelter on Geary Street.

Judy Mahoney- Discussed support for shelter.

Kathleen Massiff- Discussed police from Northern Ireland visiting with Chief.

Vera Romanoff- Talked about homeless shelter and substance abuse program

Joe Hill- of St. Vincent de Paul, discussed their part in running shelter at 6243 Geary Street.

Joe Lee- Complimented Captain Winters and the officers of Richmond Station for their continuing efforts.

Bob O'Neal- ex SFPD, asked for letter from Commission regarding his termination in 1964. He was advised to write Deputy Chief Fred Lau.

The meeting, thereafter, was adjourned at 7:55 p.m..

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6138M

SF
P45
#2
4/3/91

APRIL 3, 1991 CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice 850 Bryant Street on Wednesday, April 3, 1991 at 5:15 p.m. in Closed Session.

Attorney-Client Conference

Kenneth I. Jones, et al vs. CCSF, et al

APRIL 3, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, April 3, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 20, 1991

Approval of Minutes of Meeting of February 20, 1991, the Commissioners having received, approved and returned copies of same.

DOCUMENTS DEPT.

MAY 2 8 1991

SAN FRANCISCO
PUBLIC LIBRARY

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claim against the City and County of San Francisco:

RESOLUTION NO. 63-91

KENNETH I. JONES, et al vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Kenneth I. Jones, et al in U.S. District Court No. C88-0084 WHO in the amount of $7,500.00 for general damages for emotional distress and violation of their civil rights be, and the same is hereby approved.

Date of Incident: April of 1986, June 1987 and January 1987

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

Commissioner Keker stated that the Commission met in Executive Session on litigation matter and no action was taken.

a.) MOTION ON CALENDARING OF NEW MATTERS

No new matters to be calendared.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Willis Casey reported on changing of district boundaries. He said that this matter is still in the planning stages and discussed the reasons for proposed changes and the neighborhood groups will have input and will be involved in discussions regarding same.

POLICE COMMISSION REPORT

b.) PUBLIC COMMENTS

John O'Brien spoke on automatic weapons.
Maurice Eyovella, Bernal Heights - redistricting.
Jim Feliciano, Ocean View - discussed drug problem and cooperation with police.
Minnie Ward, OMI - discussed working with police in the district.
Jim Mayo, OMI - discussed redistricting opposition.
Ronnie Nicca, President-Merchants Association, OMI - recognized support in audience.
Rev. Johnny Tulane, resident of OMI area - discussed district concerns and cooperation with police.
Gloria Buck, Holly Court Tenant Association - crime problem in area.
Michael Shea, South Bernal Neighbors Association - crime in area.
Charles Bolton, Northwest Bernal Block Club - supported OMI regarding redistricting and juvenile drinking problems.
Buck Baggett, OMI and Holly Court member Bernal Heights Community Foundation - supported OMI.
Randy Withers - discussed harassment by Officer Robert Del Torre.
John Mondell, Coalition Homeless Outreach - discussed Robert Del Torre.
Robert Wilson, Homeless Task Force - discussed OCC complaints concerning Robert Del Torre.
Allison Bernstein, Coalition Homeless Staff - discussed numerous complaints against Officer Del Torre by homeless.
Terry Amsler, Executive Director of community board program - discussed referral program.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Eileen Luna, OCC, said that there is nothing to report.

RESOLUTION NO. 60-91

OFFICE OF CITIZEN COMPLAINTS ORDER P-5, "CASE MANAGEMENT PROCEDURE"

RESOLVED, that the Police Commission hereby approves OCC Order P-5, "Case Management Procedure", with the provision that the procedure is to be reviewed after six months.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

OFFICE OF CITIZEN COMPLAINTS ORDER P-6, "PROCEDURES FOR THE INVESTIGATION OF COMPLAINTS MADE AS A RESULT OF OBSERVATIONS BY OCC PERSONNEL"

Rescheduled for April 24th so that POA can review and meet with OCC. (Sergeant Steve Johnson representing POA)

PRESENTATION BY PLANNING DIVISION ON GENERAL ORDER PROJECT

Sergeant Michael Sullivan and Officer Sherman Acherson present General Order Plan to Commission. Mr. John Crew discussed comments and cooperation in preparing orders and concerns regarding review by Commission. Commissioner Keker suggested that changes be placed on consent calendar. Mary Vail of the Bar Association commented on the same issue.

ACTION ON CITY ATTORNEY RECOMMENDATION APPLYING INTELLIGENCE POLICY RETROACTIVELY TO LITIGATIONS

Ms. Mara Rosales, City Attorney's Office, Mr. Mark Vermuelen, attorney and Mr. John Crew, ACLU discussed concerns and comments regarding policy. After discussion the matter was put over to April 24th.

DISCIPLINARY CHARGES FILED AGAINST OFFICER ALEXA ANN RAYMER, aka JILYAN ALEXA RAYMER, NORTHERN STATION

The sentencing in the charges filed against Police Officer Alexa Ann Ramer, aka Jilyan Alexa Ramer, Northern Station, was called, it having been set for this date.

At the meeting of January 30, 1991, Specifications No. 1 and No. 2 were sustained by the Police Commission (Resolution No. 26-91) and sentencing was put over until a psychiatrist report was received from Officer Raymer's psychiatrist.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Alexa Ann Raymer appeared in person and was represetned by Ms. Katherine Mahoney, Attorney at Law.

Ms. Mahoney presented a Notice of Motion and Motion for Rehearing or, in the Alternative to Reopen the Hearing on behalf of Officer Raymer. The motion was unanimously denied by the Commission (Resolution No. 61-91).

The following witness was called by the Defense, was sworn and testified:

Janet de Groot, Chemical Dependency Therapist,
Sequoia Hospital, Redwood City, CA

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 62-91

DECISION - SENTENCING OF OFFICER ALEXA ANN RAYMER, aka JILYAN ALEXA RAYMER

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATIONS NO. 1 AND NO. 2

Officer Alexa Ann Raymer, Star #1644, be terminated immediately

and be it further

RESOLVED, that said termination, effective, immediately, be, and the same is hereby affirmed and approved.

AYES: Commissioners Campana, Craig, Keker'
NAY: Commissioner Lee
ABSENT: Commissioner Giraudo

Recess taken during the hearing of Officer Raymer:

7:40 p.m. to 7:50 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

RESOLUTION NO. 61-91

NOTICE OF MOTION AND MOTION FOR REHEARING OR, IN THE ALTERNATIVE TO REOPEN THE HEARING - OFFICER JILYAN ALEXA RAYMER, NORTHERN STATION

RESOLVED, that the Motion for Rehearing or, in the Alternative to Reopen the Hearing in the matter of Police Officer Jilyan Alexa Raymer, Northern Staton, is hereby denied.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

The meeting was thereafter adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6156M

89

MINUTES

APRIL 10, 1991 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, April 10, 1991 at 5:00 p.m. in a Special Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

HEARING OF CAPTAIN RICHARD CAIRNS, INVESTIGATIONS BUREAU

The hearing of the disciplinary charges filed against Police Captain Richard Cairns, Investigations Bureau, was called it having been continued from meeting of March 23, 1991.

Mr. Robert Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Captain Richard Cairns appeared in person and was represented by Mr. Neil Eisenberg and Ms. Judy Highlander, Attorneys at Law.

Mr. Neil Eisenberg presented a Motion to Disqualify Commissioner Gwenn Craig. Following statements by Commissioner Keker and Mr. Eisenberg, the motion was denied by Commissioner Keker. (Resolution No. 64-91)

The following witness was called by the Defense, having been previously sworn, continued his testimony:

Captain Richard Cairns, Investigations Bureau

The following exhibit was entered for identification by the Prosecution:

Exhibit #15 Memo from Capt. Cairns to Deputy Chief John Jordan, Subject: After Action Report - Oct. 6, 1989 "Act Up" Demo - Riot

The following exhibits were entered into evidence or identification by the Defense:

Exhibit E Memo from Capt. Cairns to Commander Isiah Nelson, 7/5/89, Subject: Psychological Program to be Instituted within the Tactical Division

Exhibit F Chart - Strike Zone (identification)

Exhibit G Memo from Deputy Chief John Jordan to Deputy Chiefs, Commanders, Captains of all Stations, and CO's of Muni, Intelligence, Property, Communications and Public Affairs, 10/3/89, Subject: Act Up (Living With AIDS and Fighting Back) March and Rally, Friday, 10/6/89 (identification)

Exhibit H Incident Report Form #891320263, 3 pages, 10/6/89 by Officer May

Exhibit I Incident Report Form 881318525, 14 pages, 10/6/89 by Sgt. Hall

Exhibit J — Memo of Peter W. Nehl, Chief Engineer, Varitel Video, 3/22/91 with 2 KPIX photos (evidence)

Exhibit K — Memo from Capt. R. Fife to Commander F. Lau, Subject: After Action Report "Act Up (Living With AIDS and Fight Back)", March, Rally and Demonstration, Friday, Oct. 6, 1989, dated 10/12/89

The meeting was then adjourned at 8:50 p.m. to be continued to Saturday, April 13, 1991 at 8:30 a.m. in Room 551, Hall of Justice.

Recesses taken during the hearing of Captain Cairns:

6:20 p.m. to 6:30 p.m.
7:55 p.m. to 8:08 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

RESOLUTION NO. 64-91

MOTION TO DISQUALIFY COMMISSIONER GWENN CRAIG

WHEREAS, a Motion to Disqualify Commissioner Gwenn Craig was presented by Mr. Neil Eisenberg, Attorney at Law, representing Captain Richard Cairns, and

WHEREAS, statements were made by Commissioner Keker and Mr. Eisenberg; be it therefore

RESOLVED, that the Motion to Disqualify Commissioner Gwenn Craig is hereby denied.

MOTION DENIED BY PRESIDENT KEKER

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6188M/5

MINUTES

APRIL 13, 1991 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Saturday, April 13, 1991 at 8:30 a.m. in a Special Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

DOCUMENTS DEPT.
JUL 3 1991
SAN FRANCISCO
PUBLIC LIBRARY

HEARING OF CAPTAIN RICHARD CAIRNS, INVESTIGATIONS BUREAU

The hearing of the disciplinary charges filed against Police Captain Richard Cairns, Investigations Bureau, was called it having been continued from meeting of April 10, 1991.

Mr. Robert Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Captain Richard Cairns appeared in person and was represented by Mr. Neil Eisenberg and Ms. Judy Highlander, Attorneys at Law.

The following witnesses were called by the Defense, were sworn and testified:

Dr. Frank Scalercio, Psychologist
Officer Daniel J. May, Traffic Division
Officer David Faingold, Narcotics Division
Captain John Willett, Special Investigations
Sergeant James B. Hall, Headquarters Company
Officer Robert Sudano, Special Investigations

The following witness was called by the Prosecution, was sworn and testified:

Charles Gallman, Investigator, Office of Citizen Complaints

The following exhibits were entered into evidence by the Prosecution:

Exhibit #16 Copy of article and picture from Bay Area Reporter, 4/11/91
#16A Original Newspaper article - Bay Area Reporter, 4/11/91

#13A Copies of originals of Use of Force Log, October 1989

The meeting was then adjourned to be continued to Wednesday, May 22, 1991 at 4:00 p.m. in Room 551, Hall of Justice, for closing arguments and decision.

Recess taken during the hearing of Captain Cairns:

10:10 a.m. to 10:20 a.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6188M/7

F
45
2
17/91

DOCUMENTS DEPT.
AUG 16 1991
SAN FRANCISCO
PUBLIC LIBRARY

MINUTES

APRIL 17, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco held their Regular Meeting at Martin Luther King School, 350 Girard Street at 6:00 p.m.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

APPROVAL OF MINUTES OF MEETING OF MARCH 6, 1991

Approval of Minutes of Meeting of March 6, 1991, the Commissioners having received, approved and returned copies of same.

POLICE COMMISSION REPORT

No report.

MOTION ON CALENDARING OF NEW MATTERS

None.

CHIEF'S REPORT TO THE POLICE COMMISSION

No report.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Commissioner Campana asked input regarding the status of Officer Del Torre's complaints.

CAPTAIN RICHARD HOLDER, COMMANDING OFFICER, POTRERO STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE POTRERO DISTRICT

Captan Richard Holder reported policing in the Potrero District.

PUBLIC COMMENTS

Rita Olsen, Portola District - McLaren Park Mounted Patrol. Suggested 711 for non emergency calls. Deputy Chief Lau and Captain Holder responded.

Don Bertone, President/Little Hollywood Assn. - concerned about the ballgame traffic, its parking problem around Candlestick, policing before, during and after games. Suggested "Transportation Task Force".

Elizabeth Sutra of St. Elizabeth Parish

Marianne (last name not given) - discussed C.P.O.P., Parking/Traffic Authority, its responsibilities-present and future.

John Stenfeld, Pastor/Grace Lutheran Church - discussed C.P.O.P.

Donald (last name not given), resident of Brussels Street - discussed parking problem, Woodrow Wilson Students taking over McLaren Park.

Unidentified person - discussed problem on Princeton Street.

Christine Doyle - Hit and run problem.

Grocery store owner at San Brune Avenue - purse snatching daily.

Bryon, Manager at Walgreens - statistics regarding street robberies and purse snatchings.

Mailene, Chairperson/Visitacion Valley Assn. - discussed Asians in the area, non-English speaking.

Victoria Royal, resident/Girard Street - discussed traffic on Girard Street, no stopping at stop signs.

Unidentified person - community cooperation.

Elizabeth Lowman - more patrol in park and discussed speeking on Mansell Street.

Julie Cavanaugh, Executive Director/Visitacion Valley Community Center - New Police Station? Commended Captain Holder and urged the Commission to support Captain Holder.

Unidentified person - Complained that OCC has lack of action regarding complaint. Commended police at Potrero Station.

Thomas Wong, Pastor/Visitacion Valley Chinese Church - Suggested more bilingual Officers, Chinese and Asians.

Unidentified person - concern about Bayview drug traffic at Revere/Jennings area.

The meeting, thereafter, was adjourned at 7:30 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6181M

MINUTES

DOCUMENTS DEPT
AUG 16 1991
SAN FRANCISCO PUBLIC LIBRARY

APRIL 24, 1991 CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice 850 Bryant Street on Wednesday, April 24, 1991 at 5:00 p.m. in Closed Session.

Attorney-Client Conference

Janeth Jones, et al vs. CCSF, et al
Maurice Edwards vs. CCSF

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

APRIL 24, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, April 24, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

APPROVAL OF MINUTES OF MEETING OF MARCH 13, 1991

Approval of Minutes of Meeting of March 13, 1991, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 72-91

REVOCATION OF TAXICAB PERMIT #T0789 ISSUED TO CORNELIUS E. NATIVIDAD, DUE TO DEATH OF THE PERMIT HOLDER

WHEREAS, the request of the Chief of Police for revocation of Taxicab Permit #T-0789 issued to Cornelius E. Natividad was called, it having been set for this date; and

WHEREAS, the death of Cornelius E. Natividad has been verified by the Permit Section; and

WHEREAS, pursuant to San Francisco Charter Appendix F, Section 1(a), the permit reverts to the City and County of San Francisco upon death of a permit holder; therefore be it

RESOLVED, that it is the findings and decision of the Commission, based on the evidence presented, to revoke Taxicab Permit #T0789 issued to Cornelius E. Natividad.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 73-91

REVOCATION OF TAXICAB PERMITS #T0202, #T0212 AND #T0219 ISSUED TO LEONARD L. SEINER, DUE TO DEATH OF THE PERMIT HOLDER

WHEREAS, the request of the Chief of Police for revocation of Taxicab Permits #T0202, #T0212 and #T0219 issued to Leonard L. Seiner was called, it having been set for this date; and

WHEREAS, the death of Leonard L. Seiner has been verified by the Permit Section; and

WHEREAS, pursuant to San Francisco Charter Appendix F, Section 1(a), the permit reverts to the City and County of San Francisco upon death of a permit holder; therefore be it

RESOLVED, that it is the findings and decision of the Commission, based on the evidence presented, to revoke Taxicab Permit #T0202, #T0212 and #T0219 issued to Leonard L. Seiner.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 74-91

TAXICAB PERMIT APPLICATION OF GUS HENSELYN

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the indiviudal applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Gus Henselyn, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Gus Henselyn.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 75-91

TAXICAB PERMIT APPLICATION OF SALVADOR F. RODRIGUEZ

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Salvador F. Rodriguez, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Salvador F. Rodriguez.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 76-91

TAXICAB PERMIT APPLICATION OF LEONARD A. HOWE

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Leonard A. Howe, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Leonard A. Howe.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 77-91

TAXICAB PERMIT APPLICATION OF NOEL S. PALTER

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through

June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Noel S. Palter, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Noel S. Palter.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 78-91

JANETH JONES, et al vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Janeth Jones and Denine Yalon Robinson in U.S. District Court No. C89-1934 MHP entitled "Janeth Jones and Denine Yalon Robinson vs. City and County of San Francisco, et al" in the amount of $27,500.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 21, 1988

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 79-91

MAURICE EDWARDS vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maurice Edwards in the amount of $6,816.26 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 5, 1990

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

POLICE COMMISSION REPORT

The Commission met in executive session and no vote was taken.

a.) MOTION ON CALENDARING OF NEW MATTERS

None

b.) PUBLIC COMMENTS

None

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Willis Casey updated the Commission on Officer Del Torre's complaints situation. He discussed the background and also the number of complaints. He stated that Officer Del Torre is presently on disability leave and that should Officer Del Torre return to work prior to the resolution of the complaints, he would be temporarily reassigned to other duties.

Mr. Michael Langer, OCC Director, stated that one complaint will be completed in two weeks, two others within a month, two being closed immediately and a new complaint was just received and the status is unknown at this time.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer reported on Officer Del Torre's complaint status. Commissioner Campana expressed concern on quick dispositions. Mr. Langer updated the Commission on computer. He also stated that the OCC records are up to date and all clerical persons are receiving training regarding other responsibilities of clerical positions. Mr. Langer stated that he met with the Chief, department staff, POA, OCC staff and other interested parties for minor changes in member response form to be distributed as Training Bulletin.

Mr. Langer also said that he met with the Chief, City Attorney, POA regarding OCC Order P-6 and Senior Staff Attorney job description which are calendared today. Corrected copies of both were given to the Chief.

PUBLIC HEARING ON PROPOSED OCC ORDER P-6, "PROCEDURES FOR THE INVESTIGATION OF COMPLAINTS MADE AS A RESULT OF OBSERVATIONS BY OCC PERSONNEL"

Ms. Eileen Luna discussed contents of order. She stated that she met with the POA for revision and presented same.

Mr. Al Trigueiro, President POA, stated that he did meet with OCC on the matter. Motion to accept order by Commissioner Giraudo, seconded by Commissioner Lee and unanimously approved. Commissioner Craig asked for review report in six (6) months on how the order is working.

RESOLUTION NO. 80-91

OFFICE OF CITIZEN COMPLAINTS ORDER P-6, "PROCEDURES FOR THE INVESTIGATION OF COMPLAINTS MADE AS A RESULT OF OBSERVATIONS BY OCC PERSONNEL"

RESOLVED, that the Police Commission hereby approves OCC Order P-6, "Procedures for the Investigation of Complaints Made as a Result of Observations by OCC Personnel" as revised, and be it further

RESOLVED, the procedure is to be reviewed after six months.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

PRESENTATION OF OCC SENIOR STAFF ATTORNEY JOB DESCRIPTION

Ellie Arambulo, OCC Sr. Staff Attorney, presented description of the job. Commissioner Giraudo expressed objection to OCC prosecuting cases and possibility of being overburdened. He also expressed concern regarding OCC prosecuting cases for the police department. Discussion was made by John Crew, Ms. Mara Rosales, Mary Vail and Steve Johnson who all stated their concerns. Motion by Commissioner Giraudo to put over for two weeks. The matter was then calendared on May 8th.

ACTION ON CITY ATTORNEY RECOMMENDATION APPLYING INTELLIGENCE POLICY RETROACTIVELY TO LITIGATIONS

Continued to May 1st.

RESOLUTION NO. 65-91

REQUEST FOR APPROVAL TO APPROPRIATE $199,475 FROM THE S/B 1127 LAB COST FUND, A SPECIAL REVENUE FUND, WHICH WILL FUND EXPENDITURES IN FISCAL YEAR 1991-92

WHEREAS, the State of California in Penal Code Section 1463.14 states that a $50 fee shall be imposed on those convicted of driving under the influence, and

WHEREAS, Penal Code Section 1463.14 requires that the $50 be deposited in a special account which shall be used exclusively to pay for the cost of performing for the county or a city within the county, analysis of blood, breath or urine for alcohol content or the presence of drugs, or for services related to that testing, and

WHEREAS, the City and County of San Francisco has a special revenue fund for the deposity of said fees, and

WHEREAS, the Municipal Court is the agency of the City and County that collects the fees; be it therefore

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation in the amount of $199,475 to fund one toxicologist position in the Medical Examiner - Coroner's Office, the purchase and installation of one freezer, the

purchase of one mobile DUI field testing unit with the intoxilyzer, and the purchase of laboratory equipment, and be it further

RESOLVED, that the requested $199,475 be appropriated for Fiscal Year 1991-92.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 66-91

REQUEST FOR APPROVAL OF SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $9,472 FROM THE CRIMINALISTIC LABORATORY FUND, A SPECIAL REVENUE FUND, WHICH WILL FUND EXPENDITURES IN FY 1991-92

WHEREAS, the State of California in the Health and Safety Code Section 11372.5 imposes a $50 fee on those convicted of offenses involving controlled substances, and

WHEREAS, Penal Code Section 11372.5 requires that the $50 be deposited in a special account which shall be used to pay for the cost of performing tests for the presence of drugs, and

WHEREAS, the City and County of San Francisco has a special revenue fund for the deposit of said fees, and be it therefore

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation in the amount of $9,472 to fund the purchase of laboratory equipment, and be it further

RESOLVED, that the requested $9,472 be appropriated for Fiscal Year 1991-92.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 67-91

REQUEST FOR APPROVAL OF SUPPLEMENTAL APPROPRIATION AMOUNTING TO $6,963,737 TO FUND SALARY ACCOUNT DEFICITS

WHEREAS, the Police Department has salary deficits in the following Personal Services accounts: Miscellaneous Salaries, Differential Pay, Overtime, Extended Work Week and Holiday Pay, and

WHEREAS, the Department will be unable to meet its payroll obligation with the deficit; be it therefore

RESOLVED, that the Police Commission hereby approves a supplemental appropriation in the amount of $6,963,737 to fund various salary deficits in Personal Service accounts.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 68-91

REQUEST FOR APPROVAL TO APPROPRIATE $1,966,979 FROM THE NARCOTICS FORFEITURE AND ASSET SEIZURE FUND, A SPECIAL FUND, WHICH WILL FUND EXPENDITURES IN FISCAL YEAR 1991-92

WHEREAS, the sale and use of narcotics is a serious problem in the City and County of San Francisco, and

WHEREAS, the Police Department believes that both the enforcement of narcotics laws and education are important in the abatement of narcotics use, and

WHEREAS, the City and County of San Francisco has, per Federal Law, established a Narcotics Forfeiture and Asset Seizure Fund to support various narcotics enforcement and abatement programs, and

WHEREAS, it is necessary to request that funds be appropriated prior to expenditures; be it therefore

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation totaling $1,966,979 to fund various narcotics abatement and educational projects within the Police Department in Fiscal Year 1991-92.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 69-71

REQUEST TO APPROPRIATE $1,815,000 IN PREVIOUSLY SOLD BONDS FUND TO PURCHASE #1 JONES STREET AND A REQUEST TO LEASE PENDING AN EIR AND FINAL BOARD APPROVAL

WHEREAS, the Chief of Police has requested approval for authorization to purchase the former Hibernia Bank Building located at #1 Jones Street, and

WHEREAS, the building will be purchased for $1,800,000 from the proceeds of previously sold Police Facilities Improvement Bonds, and in addition, $15,000 in closing costs will be required; and

WHEREAS, the seller has agreed to a rent free lease for one year; however, in the event the building is not purchased, a lease payment in the amount of $262,320 will be paid to the owner of the building, and if we pay $262,320 the remaining amount of $1,552,680 will revert to the Bond Fund; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the attached Resolution.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 70-91

SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER CLIFTON A. MATTHEWS, JR., COMMUNICATIONS DIVISION

WHEREAS, the setting of date to conduct taking of evidence by Commissioner Campana in the disciplinary charges filed against Police Officer Clifton A. Matthews, Jr., Communications Division, was called it having been set for this date; and

WHEREAS, the criminal charges on Officer Matthews has not yet been resolved, and

WHEREAS, Mr. Tito Torres, Attorney at Law representing Officer Matthews, has waived the time limitation as set forth in General Order P-11, Section III-K; therefore be it

RESOLVED, that the setting of date for taking of evidence by Commissioner Campana in the disciplinary charges filed against Officer Clifton A. Matthews, Jr. is continued to Wednesday, June 12, 1991 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 71-91

MOTION TO COMPEL THE OCC TO PROCEED WITH CHARGES IN THE MATTER OF FRANK REED

WHEREAS, a Motion was filed by Mr. James P. Collins, Attorney at Law representing Deputy Chief Frank Reed, requesting that the Office of Citizen Complaints move forward without delay in the matter of Deputy Chief Frank Reed, and

WHEREAS, on April 24, 1991, Mr. James Collins requested that this Motion be continued to May 8, 1991, since he is unable to attend the meeting of April 24, 1991; therefore be it

RESOLVED, that the Motion to compel the OCC to proceed with charges in the matter of Deputy Chief Frank Reed is continued to Wednesday, May 8, 1991, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

The meeting was thereafter adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6197M

SF POLICE COMMISSION MINUTES

DOCUMENTS DEPT

JUL 3 1991

S. FRANCISCO PUBLIC LIBRARY

APRIL 30, 1991 SPECIAL MEETING

Police Commissioner Gwenn Craig conducted a Special Meeting in Room 551, Hall of Justice 850 Bryant Street on Tuesday, April 30, 1991 at 9:00 a.m.

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER MICHAEL A. TOROPOVSKY, TENDERLOIN TASK FORCE

The hearing for taking of evidence in the disciplinary charges filed against Police Officer Michael A. Toropovsky, Tenderloin Task Force, was called it having been continued from the meeting of January 17, 1991.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Michael A. Toropovsky appeared in person and was represented by Mr. John Prentice, Attorney at Law.

The following witness appeared for the Prosecution, was sworn and testified:

Detective David Edmunds, Sonoma County Sheriff's Office

The following exhibits were entered into evidence by the Prosecution:

Exhibit #2 Drawing of Kitchen Area

Exhibit #3 Memo from Officer Toropovsky to Capt. Michael Hebel, Commanding Office, Mission Station, Subject: Response to Memo Written by Sgt. P.C. Wilmerding, #26, Management Control Division Regarding Member Misconduct, 7/17/90

The following witness appeared for the Defense, was sworn and testified:

Officer Michael A. Toropovsky, #2036, Tenderloin Task Force

The following exhibit was entered into evidence by the Defense:

Exhibit A Sonoma County Sheriff's Dept. Investigations Supplementary Report, Case No. 90-0601-13, 6/8/90

The meeting was then adjourned to be continued to Tuesday, June 11, 1991 at 9:30 a.m. in Room 551, Hall of Justice.

Recess taken during the hearing of Officer Toropovsky:

10:20 a.m. to 10:35 a.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6197M

MINUTES

MAY 1, 1991 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, May 1, 1991, at 4:00 p.m. in a Special Meeting.

MEDAL OF VALOR AWARDS CEREMONY

SILVER MEDAL OF VALOR

Officer Miguel Granados

BRONZE MEDAL OF VALOR

Officer Jerome DeFilippo
Officer James Garrity
Officer Mario Machi
Officer John Newman
Officer Robert Tayac

MERITORIOUS CONDUCT AWARD

Captain John E. Brunner
Sergeant Dirk Beijen
Sergeant Timothy Foley
Sergeant Stephen Gudelj
Sergeant Marion Jackson*
Sergeant Franklin Lee
Sergeant Eric Olsen
Sergeant Glenn Pennebaker
Sergeant Mark Potter
Sergeant David Shinn
Sergeant Neil Swendsen
Inspector Anthony Camilleri
Inspector Daniel Everson
Inspector Armand Gordon
Inspector Samuel Hamilton*
Inspector Raymond Hilvert
Inspector David Lambrecht
Inspector Jeffrey Lindberg
Inspector Susan Manheimer
Inspector Calvin Nutting
Inspector Armond Pelisetti
Inspector Harvey Rockwell
Inspector Robert Shepherd
Inspector Thomas Sullivan
Inspector Thomas Vigo
Inspector Steven Wilhelm
Officer Richard Alves
Officer John Bourne
Officer Mel Cardenas
Officer Richard Dell Agostino
Officer Heinz Hofmann
Officer Paul Lozada
Officer Nelson Lum
Officer David Seid
Officer Juanita Stockwell
Officer Victor Tsang
Officer Joanne Welsh
Officer Pamela Wermes
Ms. Debbie Dowdell
Ms. Marita Spes

*Two Meritorious Conduct Awards

MAY 1, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, May 1, 1991, at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Keker
ABSENT: Commissioner Lee

APPROVAL OF MINUTES OF MEETING OF MARCH 27, 1991

Approval of Minutes of Meeting of March 27, 1991, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 83-91

REQUEST OF COMMANDER JAMES ARNOLD, SECOND PATROL DIVISION, FOR APPROVAL OF ACCEPTANCE OF DONATION OF A TANDY PERSONAL COMPUTER FOR USE AT TARAVAL STATION

RESOLVED, that the request of Commander James Arnold, Second Patrol Division, for Police Commission approval to accept a donation of a Tandy personal computer with keyboard, Tandy CMII Monitor and Daisy Wheel Printer, by Pacific Gas and Electric Co. for use at Taraval Station. (Valued at $2,000.00)

AYES: Commissioners Campana, Craig, Giraudo, Keker
ABSENT: Commissioner Lee

POLICE COMMISSION REPORT

Commissioner Keker reported that he and Commissioner Craig attended the Meritorious Awards Ceremony and they praised all the recipients.

a.) MOTION ON CALENDARING OF NEW MATTERS

None

b.) PUBLIC COMMENTS

William Brady discussed his opposition to any changes in General Order D-22 (City of Refuge Ordinance).

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey responded to articles regarding changing of General Order D-22 and stated that if it is not in conflict with federal law, there will be no changes. If federal law changes he will work with the Human Rights Commission before any changes. If there are any federal changes these will be brought to the attention of the Commission.

Commissioner Craig discussed pending resolution regarding sexual minorities and asked Deputy City Attorney Ms. Mara Rosales to review language of general order and language of resolution to see if any changes in general order are necessary. This matter will be calendared for May 29th.

Chief Casey also reported on Special Order 91-14 (OCC Member Response Forms) issued on April 24. He feels that the change should put an end to the problem experienced with the response forms. OCC will monitor response and report back to the Chief if there are problems.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Ms. Eileen Luna expressed the efforts of the Police Department for assitance in implementation of Special Order 91-14. She updated the Commission on Officer Del Torre's complaints and indicated that another officer presently has seven (7) complaints against him regarding homeless persons. She indicated that she will forward it with the Del Torre complaint so that the department can look at them together.

Ms. Luna also discussed that budget cuts requested by the Mayor's Office have been made, and any more cuts will involve personnel cuts. Commissioner Craig requested information on what items have been cut and the Chief stated that when the final bugets are approved by the Board of Supervisors, they will be presented to the Commission for review.

REPORT BY THE CITY ATTORNEY ON POSSIBLE CHARGING OF FEES FOR PUBLIC SERVICES

Deputy City Attorneys Mara Rosales and Tom Owens discussed proposed ordinance with Commission. After discussion the matter is put over to June 26th meeting.

Mr. John Crew expressed ACLU position on the matter.

ACTION ON CITY ATTORNEY RECOMMENDATION APPLYING INTELLIGENCE POLICY RETROACTIVELY TO LITIGATIONS

Mr. John Crew discussed concerns of ACLU regarding policy. Ms. Mara Rosales, City Attorney's Office, responded and discussion was made by Commissioners regarding release of information.

Commissioner Keker then asked Ms. Rosales to ask City Attorney if she will return police documents when cases are over. City Attorney will report back to Commission on May 8th.

RESOLUTION NO. 81-91

REQUEST FOR THE APPROVAL OF PROPOSED AMENDMENT TO ADMINISTRATIVE CODE SECTION 10.117-109 ON VEHICLE THEFT CRIMES FUND (IMPLEMENTATION OF CALIFORNIA VEHICLE CODE SECTION 9250.14)

WHEREAS, under California Vehicle Code 9250.14, the Police Department of the City and County of San Francisco is eligible to receive funds from surcharge obtained by the California Department of Motor Vehicles under vehicle registration laws; and

WHEREAS, in order to be eligigle to receive such funds, the City and County must be able to demonstrate that the funds will supplement rather than replace existing law enforcement resources; therefore be it

RESOLVED, that the Police Commission requests the Board of Supervisors to add section 10.117-109 Vehicle Theft Crimes Fund, to the San Francisco Administrative Code which will allow for the receipt

of funds as a result of the Department of Motor Vehicle's one dollar ($1.00) assessment per vehicle registered to a San Francisco address.

AYES: Commissioners Campana, Craig, Giraudo, Keker
ABSENT: Commissioner Lee

RESOLUTION NO. 82-91

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST POLICE OFFICER MICHAEL J. WALSH, RECORD ROOM

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Michael J. Walsh, Record Room, was called it having been set for this date; and

WHEREAS, Commissioner Pius Lee is hereby assigned to conduct taking of evidence by in the disciplinary charges filed against Police Officer Michael J. Walsh; and

WHEREAS, it was requested by the Police Commission that the date for taking of evidence by Commissioner Pius Lee in the disciplinary charges filed against Police Officer Michael J. Walsh will be set in a later date; therefore be it

RESOLVED, that the date for taking of evidence by Commissioner Pius Lee in the disciplinary charges filed against Police Officer Michael J. Walsh will be set in a later date.

AYES: Commissioners Campana, Craig, Giraudo, Keker
ABSENT: Commissioner Lee

The meeting, thereafter, was adjourned at 7:20 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6191M

MINUTES

MAY 14, 1991 SPECIAL MEETING

Police Commissioner Gwenn Craig conducted a Special Meeting in Room 551, Hall of Justice, 850 Bryant Street on Tuesday, May 14, 1991 at 9:00 a.m.

DOCUMENTS DEPT.
SEP 17 1991
SAN FRANCISCO PUBLIC LIBRARY

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE CHARGES AGAINST SERGEANT DONALD I. HENSIC, WARRANT BUREAU

The hearing for taking of evidence in the disciplinary charges filed against Police Sergeant Donald I. Hensic, Warrant Bureau, was called it having been set for this date.

Mr. Robert A. Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Sergeant Donald I. Hensic appeared in person and was represented by Mr. Peter Furst, Attorney at Law.

An opening statement was made by Mr. Robert Martin for the Prosecution.

An opening statement was reserved by Mr. Peter Furst until a later time.

The following witnesses appeared for the Prosecution, were sworn and testified:

Officer Mary Dunnigan, Ingleside Station
Officer Lynette Hogue, Ingleside Station

The meeting was then adjourned at 3:50 p.m. to be continued to Friday, June 7, 1991 at 9:00 a.m. and Friday, June 21, 1991 at 9:00 a.m.

Recesses taken during the hearing of Sergeant Hensic:

12:25 p.m. to 1:50 p.m.
3:30 p.m. to 3:40 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6197M

MINUTES

MAY 8, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, May 8, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

DOCUMENTS DEPT.
SEP 17 1991
SAN FRANCISCO PUBLIC LIBRARY

APPROVAL OF MINUTES OF MEETING OF APRIL 3, 1991

Approval of Minutes of Meeting of April 3, 1991, the Commissioners having received, approved and returned copies of same.

POLICE COMMISSION REPORT

Commissioner Keker stated that the Commission met in executive session regarding attorneys fees in ACLU vs. Jordan case and also voted 4-0 to have an emergency meeting on a personnel matter in which no decision was taken.

a.) MOTION ON CALENDARING OF NEW MATTERS

Commissioner Keker asked for calendaring of Police Disciplinary Hearing Standards. What hearings will be public and which will be private if member requests. Asked the City Attorney to prepare a proposal and calendared for May 29th.

Mr. Robert Martin stated that both he and Neil Eisenberg will be making a joint motion upon Eisenberg's arrival and asked that calendaring of matters be carried over until later in the meeting.

b.) PUBLIC COMMENTS

None.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey reported the success of Cinco de Mayo festival. The festival went well with very little need for police activity. Commissioner Craig inquired about the stabbing during Cinco de Mayor and the Chief stated that it had nothing to do with the festival.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer discussed computer project and gave an update. He also updated the Commission on status of Officer Del Torre complaints. He discussed changes in OCC budget.

PUBLIC HEARING ON PROPOSED OCC ORDER P-6, "PROCEDURES FOR THE INVESTIGATION OF COMPLAINTS MADE AS A RESULT OF OBSERVATIONS BY OCC PERSONNEL"

Approved two weeks ago. (error in calendaring)

PRESENTATION OF OCC SENIOR STAFF ATTORNEY JOB DESCRIPTION

OCC Senior Staff Attorney Ellie Aramburo presented revised job description summary. Commissioner Giraudo expressed his opposition to section II.

Gary Delagnes, Vice President of POA, expressed POA's opposition. John Crew, ACLU, stated that he shares concerns of Commissioner Giraudo. Motion by Commissioner Craig, seconded by Commissioner Keker to approve as revised.

RESOLUTION NO. 84-91

PRESENTATION OF OCC SENIOR STAFF ATTORNEY JOB DESCRIPTION

RESOLVED, that the Police Commission hereby approves the job description of Senior Staff Attorney for the Office of Citizen Complaints.

AYES: Commissioners Campana, Craig, Keker
NAYS: Commissioners Giraudo, Lee

DISCUSSION ON THE RESPONSE OF THE COMMISSION ON THE STATUS OF WOMEN TO SAN FRANCISCO'S DOMESTIC VIOLENCE

Ahimsa Sumchai, Commission on the Status of Women, presented a report of that commission regarding San Francisco's domestic violence. She stated that the report is a result of a year long investigation following the murder of Veena Charan.

After presentation and concerns regarding domestic violence investigations, procedures and proposals with Commissioners, the matter is put over to June 5th for department response and public discussion.

ACTION ON CITY ATTORNEY RECOMMENDATION APPLYING INTELLIGENCE POLICY RETROACTIVELY TO LITIGATIONS

Ms. Mara Rosales, City Attorney, discussed cases presently in possession of City Attorney. When litigation are over, cases are returned to police department covered under Intelligence Policy. Mr. John Crew discussed "privileged". Commissioner Keker offered amendment. The Commission requested that the City Attorney return all police department files after litigation is completed except those files which are subject to attorney-client or attorney work product privileges.

The motion was passed. City Attorney stated that when cases are concluded they will be returned to the department for placement on the Commission calendar. John Crew requested resolution regarding the policy. It was moved by Commissioner Giraudo, seconded by Commissioner Craig, that the resolution be adopted as per suggestion of John Crew that the department maintain files for six months after receipt from City Attorney prior to destruction.

RESOLUTION NO. 86-91

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST POLICE OFFICER DAVID L. FONTANA, HEADQUARTERS COMPANY

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer David L. Fontana, Headquarters Companay, was called it having been set for this date; and

WHEREAS, Commissioner Louis J. Giraudo is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Police Officer David L. Fontana; and

WHEREAS, it was requested by the Police Commission that the date for taking of evidence by Commissioner Giraudo in the disciplinary charges filed against Officer Fontana be set at a later date; therefore be it

RESOLVED, that the date for taking of evidence by Commissioner Giraudo in the disciplinary charges filed against Police Officer David L. Fonatna is to be set at a later date.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

RESOLUTION NO. 87-91

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Michael J. Walsh, Record Room, was called it having been set for this date; and

WHEREAS, Commissioner Pius Lee is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Police Officer Michael J. Walsh; and

WHEREAS, it was requested by the Police Commission that the date for taking of evidence by Commissioner Pius Lee in the disciplinary charges filed against Police Officer Michael J. Wlash be set at a later date; therefore be it

RESOLVED, that the date for taking of evidence by Commissioner Pius Lee in the disciplinary charges filed against Police Officer Michael J. Walsh is to be set at a later date.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

RESOLUTION NO. 88-91

MOTION TO COMPEL THE OCC TO PROCEED WITH CHARGES IN THE MATTER OF FRANK REED

WHEREAS, a Motion was filed by Mr. James P. Collins, Attorney at Law representing Deputy Chief Frank Reed, requesting that the Office of Citizen Complaints proceed with the charges against Deputy Chief Frank Reed; therefore be it

RESOLVED, that it is the findings and decision of the Police Commission that the Motion be granted and that OCC is to proceed forthwith on the charges against Deputy Chief Frank Reed.

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

The meeting, thereafter, was adjourned at 7:20 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6206M

MINUTES

MAY 15, 1991 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in Everett Middle School at 450 Church Street on Wednesday, May 15, 1991 at 5:00 p.m. in a Special Meeting.

DOCUMENTS DEPT.

SEP 17 1991

SAN FRANCISCO PUBLIC LIBRARY

SPECIAL ORDER OF BUSINESS

POLICE COMMISSION CONSIDERATION OF RESERVING A POSITION ON NOVEMBER BALLOT REGARDING CHARTER AMENDMENT ON POLICE DISCIPLINE SYSTEM

Deputy Mayor Gayle Orr-Smith discussed Mayor's Discipline Task Force. She updated the Commission on areas of concern and discussed the present status of meetings. She stated that if a charter change is necessary, the Commission must consider reserving a position on the November ballot as some of the recommendations by the task force may require same. She identified that area of the charter that the task force would like to make recommendations but does not specify what the items would be. The task force would have to submit their findings and recommendations for review, consideration, public hearing and etc. She stated the sections of the charter are 8.343 (Police Powers) and 3.530-2 (OCC).

Commissioner Keker asked what the time frame is regarding reserving space on ballot. Discussion by Commission regarding procedure and time lines. The Commission discussed one proposition rather than two. Motion by Commissioner Lee for one proposition on ballot, seconded by Commissioner Craig. The motion was unanimously approved.

The Mayor's Task Force report will be calendared for June 5th and the Human Rights Commission is to be notified.

MAY 15, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in Everett Middle School at 450 Church Street on Wednesday, May 15, 1991 at 6:00 p.m. in a Regular Meeting.

APPROVAL OF MINUTES OF MEETING OF APRIL 17, 1991

Approval of Minutes of Meeting of April 17, 1991, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Continued to May 29, 1991.

POLICE COMMISSION REPORT

Commissioner Keker stated that the Commission did not meet in executive session and has nothing to report.

a.) MOTION ON CALENDARING OF NEW MATTERS

None

CHIEF'S REPORT TO THE POLICE COMMISSION

None

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer informed the public of the role of the OCC and procedure for making complaint and/or if the office can be of assistance to call.

RECOMMENDATIONS OF THE AWARDS COMMITTEE

Commissioner Keker reported on the Awards Committee meeting and recommendations are approved.

RESOLUTION NO. 89-91

AWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT

WHEREAS, the following named members of the Police Department have been commended for courageous service under the provisions of General Order 0-5, Sections 1-A and 1-C of the San Francisco Police Department, as approved by the Awards Committee on Friday, May 10, 1991; and

WHEREAS, Chief of Police Willis A. Casey has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Lieutenant John Madden, Sergeant Thomas DelTorre, Officer Guillermo Amigo, Officer Lee Dahlberg and Officer Andrew Stoeppelwerth are hereby awarded the Gold Medals of Valor and granted rewards of $500.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector Larry Camilleri and Inspector Paul Falconer are hereby awarded the Silver Medals of Valor and granted rewards of $300.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Lieutenant Joaquin Santos, Sergeant John Haggett, Sergeant David Shinn, Officer David Albright, Officer Nikolaus Borthne, Officer Kenneth Cantamout, Officer Mel Cardenas, Officer Matthew Castagnola, Officer John Colla, Officer Bob Davis, Officer Kevin Dempsey, Officer Dennis W. Dillard, Officer Timothy Flaherty, Officer George Fogarty, Officer Brett A. Higdon, Officer Thomas King, Officer Richard Lee, Officer James Miller*, Officer Michael Moran, Officer Steve Morimoto, Officer Edward St. Andre, Officer David Seid, Officer Bernard J. Sullivan*, Officer Donald Shockley and Officer Brian Woo, be, and they are hereby awarded Bronze Medals of Valor and granted rewards of $150.00 each, as provided for under said Section of the Charter; and be it further

RESOLVED, that Sergeant William Canning, Inspector Michael Byrne, Inspector Edwid Kenney, Officer Richard Alves, Officer John J. Garrity and Officer James Speros, be, and they are hereby awarded Meritorious Conduct Awards and granted rewards of $150.00 each, as provided for under said Section of the Charter.

*Two Bronze Medal of Valor Awards

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF A SUPPLEMENTAL APPROPRIATION AMOUNTING TO $80,000 FOR A TOW REIMBURSEMENT REVOLVING FUND

Taken off calendar.

CAPTAIN JOHN NEWLIN, COMMANDING OFFICER, MISSION STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE MISSION DISTRICT

Captain John Newlin greeted the public and gave history of Mission Station and personnel. He also stated his goals for policing the district and plans for redistricting.

PUBLIC COMMENTS

Jill Tregor, CUAV, discussed problems of Betty Jones, business owner and client of CUAV. Her problems concern students of Mission High, their vandalism, and parking problem in front of her business. Ms. Tregor also discussed anti-lesbian violence in the Mission and asked for increased policing.

An unidentified resident thanked the department for CPOP officers and discussed problems of the homeless in Mission playground. She also asked why officers were sent to the Tenderloin from Mission Station.

Jim Bourbon, Liberty Hill Association, complimented Captain Newlin and supported CPOP program and discussed crime problems of concern in the disctrict such as drug dealing and prostitution.

Andy Solo complimented police and stated concern of drinking at 21st and Folsom and stealing. He asked for citations to be issued for drinking in public. He discussed narcotics asset forfeiture fund.

Judith Mayor complimented CPOP and talked of crime problems at 16th and Mission.

An unidentified person talked of traffic accident and communications regarding accident. Talked of shortage of ambulances, gay bashings and recent receipt of parking citations when calling police on other matter.

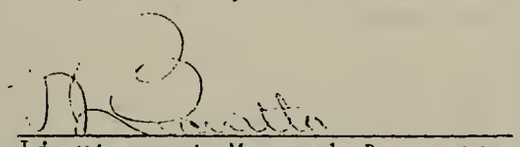
Pat Howard, resident, discussed newspaper racks, and phones in the district and asked for separate radio channel for Mission Station.

Sharon Gherenghelli discussed number of public phones in district.

Jack Valenessi discussed redistricting plan for Taraval Disctrict. He discussed calls for service in Taraval Station.

Jack (no last name given) talked about car theft, property theft, vandalism, congestion of parked autos and employee safety. Suggested neighborhood watch patrol and asked for more beat officers.

The meeting was thereafter adjourned at 7:40 p.m. in memory of John "Jack" Conroy, San Francisco Fire Department, who died in the line of duty.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6214M

MINUTES

MAY 22, 1991 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, May 22, 1991 at 4:00 p.m. in a Special Meeting.

AYES: Commissioners Campana, Craig, Keker, Lee
ABSENT: Commissioner Giraudo

DOCUMENTS DEPT.
SEP 17 1991
SAN FRANCISCO
PUBLIC LIBRARY

HEARING OF CAPTAIN RICHARD CAIRNS, INVESTIGATIONS BUREAU

The hearing of the disciplinary charges filed against Police Captain Richard Cairns, Investigations Bureau, was called it having been continued from the Special Meeting of April 13, 1991.

Mr. Robert Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Captain Richard Cairns appeared in person and was represented by Mr. Neil Eisenberg, Attorney at Law.

The following witnesses were called by the Defense, were sworn and testified:

Sarah Howard, San Francisco, CA
David Lange, San Francisco, CA

The following witness was recalled by the Police Commission, having previously been sworn testified:

Captain Richard Cairns, Investigations Bureau

The following exhibits were entered into evidence by the Defense:

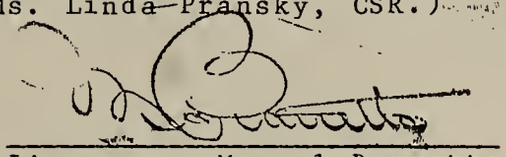
Exhibit	L	Photograph of balcony of 17th and Castro
Exhibit	M	Drawing of 17th and Castro
Exhibit	N	Photograph of rear view of gas station
Exhibit	O	Photograph of view from balcony of service station
Exhibit	P-1	Photograph of 17th, Market and Castro
	P-2	Photograph of 17th, Market and Castro from balcony
	P-3	Photograph of 17th, Market and Castro from balcony
Exhibit	Q	Drawing of 17th and Castro

The meeting was then adjourned to be continued to Tuesday, June 4, 1991 at 5:00 p.m. in Room 551, Hall of Justice.

Recesses taken during the hearing of Captain Cairns:

4:20 p.m. to 5:00 p.m.
6:25 p.m. to 6:38 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6214M

MINUTES

MAY 29, 1991 CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice 850 Bryant Street on Wednesday, May 29, 1991 at 5:00 p.m. in Closed Session.

DOCUMENTS DEPT.

SEP 17 1991

SAN FRANCISCO PUBLIC LIBRARY

Attorney-Client Conference

ACLU vs. Frank Jordan, et al
Kenneth Jones, et al vs. CCSF, et al
Lorenzo B. Dominguez vs. Henry Birk's Jewelers, et al
Filemon and Teresita Casmaino vs. CCSF

MAY 29, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, May 29, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

APPROVAL OF MINUTES OF MEETING OF APRIL 24, 1991

Approval of Minutes of Meeting of April 24, 1991, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 92-91

REQUEST OF CAPTAIN D. PHILPOTT, JUVENILE DIVISION, FOR APPROVAL TO ACCEPT GIFT FROM OMI NEIGHBORS IN ACTION

RESOLVED, that the request of Captain Diarmuid Philpott, Juvenile Division, for Police Commission approval to accept a gift of $226.00 from the OMI Neighbors in Action is hereby approved; and be it further

RESOLVED, Captain Philpott is donating $100.00 back to the OMI Neighbors in Action and $126.00 is being given to Children's Self Help of San Francisco.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 93-91

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO ACCEPT $100.00 GIFT CERTIFICATE FOR "JUST DESSERTS" FROM "THE PEACE COMMUNITY"

RESOLVED, that the request of Chief of Police Willis A. Casey for Police Commission approval to accept a donation of a $100.00 gift certificate for "Just Desserts" from "The Peace Community" in appreciation for the conduct of the San Francisco Police Officers in the Armed Forces Day parade is hereby approved.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 94-91

REMOVAL OF APPLICANT DANIEL MALER FROM THE TAXICAB MEDALLION LIST

WHEREAS, the request of the Chief of Police for removal of applicant Daniel Maler from the taxicab medallion list was called, it having been set for this date; and

WHEREAS, the Taxi Detail made efforts to locate Mr. Daniel Maler, the next person eligible for a taxicab medallion, but without success; therefore be it

RESOLVED, it is the findings and decision of the Commission that Mr. Daniel Maler's name be removed from the list of taxicab applicants.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 95-91

REMOVAL OF APPLICANT MAURICE RAMSEY FROM THE TAXICAB MEDALLION LIST

WHEREAS, the request of the Chief of Police for removal of applicant Maurice Ramsey from the taxicab medallion list was called, it having been set for this date; and

WHEREAS, the Taxi Detail made efforts to locate Mr. Maurice Ramsey, the next person eligible for a taxicab medallion, but without success; therefore be it

RESOLVED, it is the findings and decision of the Commission that Mr. Maurice Ramsey's name be removed from the list of taxicab applicants.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 96-91

TAXICAB PERMIT APPLICATION OF EDWARD SHAFFER

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Edward Shaffer, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Edward Shaffer.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 97-91

TAXICAB PERMIT APPLICATION OF JOTE KEJELA

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Jote Kejela, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Jote Kejela.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 98-91

TAXICAB PERMIT APPLICATION OF HIEP B. NGO

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Hiep B. Ngo, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Hiep B. Ngo.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 99-91

TAXICAB PERMIT APPLICATION OF FESSAHAIE KELETA

WHEREAS, the San Francisco Police Commission pursuant to its authority under Article 16 of the Municipal Police Code appointed a Hearing Officer who conducted hearings from June 11, 1990 through June 18, 1990, regarding the current levels of taxicab service in the City and County of San Francisco, and the requirements of public convenience and necessity therefor; and

WHEREAS, based upon the entire record of the hearings on public convenience and necessity and on the individual applications, the Police Commission finds that the number of taxicab permits set at 811 as per Resolution No. 1201-87 shall remain at 811; and

WHEREAS, the Commission determined on Wednesday, December 5, 1990, based on the records received at that meeting that public convenience and necessity required the operation of 811 taxi motor vehicle for hire permits; therefore be it

RESOLVED, that Fessahaie Keleta, based on his application and the San Francisco Permit Bureau certification, is qualified to hold a motor vehicle for hire permit, that said taxicab owner permit shall be granted and shall be revocable under criteria and standards published by the Commission in conjunction with applicable sections of the San Francisco Municipal Code, and shall be and is hereby granted to Fessahaie Keleta.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

Recommendation of the City Attorney for settlement of the following claims against the City and County of San Francisco:

RESOLUTION NO. 100-91

ACLU vs. FRANK JORDAN, et al

RESOLVED, that the judgment made in Superior Court No. 830-286 (Appellate Court No. A030554) in the amount of $55,000 plus interest from date of judgment, for attorney's fees, be, and the same is hereby approved.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 101-91

KENNETH JONES, et al vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenneth Jones, et al in the amount of $45,000 in U.S. District Court No. C88-0084 WHO for attorney's fees, be, and the same is hereby approved.

Date of Incident: January 10, 1987

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 102-91

LORENZO B. DOMINGUEZ vs. HENRY BIRK'S JEWELERS, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lorenzo B. Dominguez in the amount of $17,500 in Superior Court No. 911-501 entitled "Lorenzo B. Dominguez vs. Henry Birk's Jewelers, City and County of San Francisco and John Thelan, et al", for damages sustained, be, and the same is hereby approved.

Date of Incident: O/A June 23, 1989

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 103-91

FILEMON AND TERESITA COSMAINO vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the unlitigated claim of Filemon and Teresita Cosmaino in the amount of $6,500.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 2, 1989

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

POLICE COMMISSION REPORT

Commissioner Craig stated that the Commission met in executive session in an Attorney-Client Conference on a number of items listed on calendar approving said items.

a.) MOTION ON CALENDARING OF NEW MATTERS

None

b.) PUBLIC COMMENTS

John Bardis, Inner Sunset Action Committee, discussed concern for redistricting.

Jackie Gordon, West Portal Neighborhood Association, asked that no action by Chief or

Commission on redistricting until notification to citizens 15 days prior to hearing. Asked for one hearing in each of the three (3) divisions. She also recommended the procedure that the department should have prior to redistricting hearing.

Joe Valenessi, Parkside District Improvement Club/Taraval Parkside Merchants Association, stated that no redistricting plan should take place until a full evaluation takes place of all districts.

Joseph Kejela, taxi driver, asked procedure for taking vacation now that he has taxi medallion. Required as per Proposition K that he notifies the department. Commissioner Craig suggested that he contact Taxi Detail.

Len Lundgren, Lakeside Property Owners Association, discussed concerns on redistricting.

Evelyn Wilson, Sunset Parkside Education Action Committee, expressed her concern in changes in district boundaries.

Lorraine Lucan, President-Golden Gate Heights Neighborhood Association, stated that there is not enough time to review the redistricting plan and expressed concern for other districts in city. Asked to see master plan.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Willis Casey stated that the June 5th meeting will have the redistricting plan which will be presented to all for public discussion. He stated that the department has discussed the proposed redistricting in all of the districts in the city.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer reported that OCC Investigator from 1985-1988, Allen Houston, passed away on May 28, 1991. He asked that the meeting be dedicated to his memory.

Mr. Langer stated that the OCC has worked with the African American Institute and that a judge from Zimbabwe had visited his office.

REPORT ON MAYOR'S 911 EMERGENCY TASK FORCE

Deputy Mayor Gayle Orr-Smith gave overview and presentation of draft of task force findings. She stated that the task force was divided into three (3) subcommittees. (Community concerns, Administration and Operation, and Human resources and Labor Issues.) The task force recommended development of a public education program regarding 911 system, establish an independent admininstrator, improve daily working relationship between officers and civilian dispatchers, improve dispatch center, increase training, and stated the need for more bilingual dispatchers.

Captain John Robinson discussed department actions already in place in response to the 911 audit report and will report quarterly to the Commission during the Chief's quarterly reports. Commissioner Campana, as a member of the task force, will monitor any implementations taking place and will meet with communications personnel during process. Deputy Mayor Orr-Smith discussed eventual civilianization of Communications Section.

PRESENTATION OF DEPARTMENT GOALS

Commissioner Craig stated that the Commission received information this evening and has not been able to review. The matter was then put over to June 12th.

OCC POLICY RECOMMENDATIONS:

a. Issuance of Citations/Proof of Financial Responsibility
b. Attention to Duty
c. Revision of G.O. D-22, "City of Refuge Ordinance"
d. Prisoner Transport Policy
e. Prioritization of Crime Scene Investigations
f. Revision of Department G.O. I-8, "Detention of Prisoners"
g. Rendering Assistance to Disabled Motorists

Recalendar for June 19th. Commissioner Craig discussed the late receipt of material for matters on calendar. She stated that in the future if material is not received in advance, the Commission will put the matter over to a future date.

POLICY REGARDING PHOTOGRAPHY DURING DISCIPLINARY HEARINGS

Commissioner Giraudo discussed disruptions during disciplinary hearings caused by flash photography and also the press moving about hearing room during hearings.

Dexter Dong of the SF Independent newspaper stated that he has no problem with the prohibition of flash and asked that the press be permitted more room other than press box. Commissioner Giraudo expressed his concern allowing press more area to move. Lights of video cameras was discussed and the Commissioners stated that the video lights are not a problem.

Commissioner Giraudo made a motion that a resolution be adopted that flash be disallowed during disciplinary hearings and that the press be required to remain in designated areas during said hearings. Seconded by Commissioner Lee and it was unanimously approved.

RESOLUTION NO. 90-91

POLICY REGARDING PHOTOGRAPHY DURING DISCIPLINARY HEARINGS

RESOLVED, that it is the policy of the Police Commission that no flash photography is to be used during disciplinary hearings, and be it further

RESOLVED, members of the press are to be positioned in the designated area of the Police Commission Hearing Room.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

STATUS REPORT ON DEPARTMENT GENERAL ORDER D-22, "CITY OF REFUGE ORDINANCE"

Ms. Mara Rosales, Deputy City Attorney, stated that she has researched federal and state law and that there has been no changes and that there is no need to change the general order at this time. She also discussed the proposed resolution yet to be heard by the Board of Supervisors regarding sanctuary for sexual minorities. The matter was put over for one week, June 5th.

PUBLIC DISCUSSION ON PROPOSAL BY THE CITY ATTORNEY REGARDING POLICY DISCIPLINARY HEARING STANDARDS

Ms. Mara Rosales discussed draft prepared by her that would provide that all disciplinary trials be open to the public with the exception that the party could request a closed hearing and the Commission could grant the request upon showing that public disclosure of information relevant to the case would result in an unwarranted invasion of personal privacy of an individual. She also discussed hearings which may be partially closed. Discussion was made by Commission regarding invasion of privacy and definition of same. The matter was put over for further research by Ms. Mara Rosales, to be recalendared at a later date.

RESOLUTION NO. 91-91

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST POLICE OFFICER THOMAS ARGO, RECORDS SECTION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the disciplinary charges filed against Police Officer Thomas Argo, Records Section, was called it having been set for this date; and

WHEREAS, Commissioner John W. Keker is hereby assigned to conduct taking of evidence in the disciplinary charges filed against Police Officer Thomas Argo; and

WHEREAS, it was requested by the Police Commission that the date for taking of evidence by Commissioner Keker in the disciplinary charges filed against Officer Argo be set at a later date; therefore be it

RESOLVED, that the date for taking of evidence by Commissioner Keker in the disciplinary charges filed against Police Officer Thomas Argo is to be set at a later date.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

Thereafter, Commissioner Craig asked that a moment of silence be observed and that this meeting be dedicated and adjourned in memory of Allen Houston, OCC Investigator from 1985 to 1988.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6216M

[MINUTES]

JUNE 4, 1991 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Tuesday, June 4, 1991 at 5:00 p.m. in a Special Meeting.

HEARING OF CAPTAIN RICHARD CAIRNS, INVESTIGATIONS BUREAU

The hearing of the disciplinary charges filed against Police Captain Richard Cairns, Investigations Bureau, was called it having been continued from the Special Meeting of May 22, 1991. Captain Richard Cairns was charged with violating the Rules and Procedures as follows:

DOCUMENTS DEPT.
NOV 5 - 1991
SAN FRANCISCO PUBLIC LIBRARY

SECOND AMENDED COMPLAINT

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit of the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Failure to report the use of force (violation of Sections XII.A and XII.B of General Order F-4 of the San Francisco Police Department).

SPECIFICATION NO. 4

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 5

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit on the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 6

Failure to report the use of force (violation of Section XII.A and XII.B of General Order F-4 of the San Francisco Police Department);

SPECIFICATION NO. 7

Engaging in conduct which tends to subvert the good order efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Willis A. Casey, Chief of Police of the San Francisco Police Department.

Mr. Robert Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Captain Richard Cairns appeared in person and was represented by Mr. Neil Eisenberg, Attorney at Law.

Mr. Eisenberg made a motion to reopen the Defense Hearing. The motion was granted for the limited purpose of playing the tape of the interview of Jon Ginoli.

The tape of interview of Jon Ginoli by Diane Christensen, Investigator, Office of Citizen Complaints, on November 14, 1989, was played.

Closing statements were made by Mr. Eisenberg for the Defense, and by Mr. Martin for the Prosecution.

The Commission took the matter under submission, deliberated and returned, after which the following resolution was adopted:

RESOLUTION NO. 104-91

DECISION - HEARING OF CAPTAIN RICHARD CAIRNS, INVESTIGATIONS BUREAU

WHEREAS, on February 11, 1991, Willis A. Casey, Chief of Police, made and served Second Amended Complaint against Police Captain Richard J. Cairns, and

WHEREAS, the Commission having heard or read the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

(1) At all times herein mentioned, Richard J. Cairns, Star No. 1942 (hereinafter referred to as "the accused") was and is a Captain of Police, employed by the San Francisco Police Department, and at the time of the incidents alleged herein was assigned to command the Tactical Division of the Field Operations Bureau, now assigned to the Investigations Bureau;

(2) As a Captain of Police, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;

(3) On October 6, 1989, between approximately 1930 hours and 2130 hours, near the intersection of Castro Street and Market Street, the accused was assigned to work in

connection with a demonstration which started at the Federal Building and ended at that location;

(4) On October 6, 1989, at or about 2100 hours, many demonstrators were in and on Castro Street after being informed that the street was now an unlawful assembly area;

(5) On October 6, 1989, at or about 2100 hours, a police officer pursued a person into the crowd for the purpose of arresting him;

(6) On October 6, 1989, at or about 2100 hours, the accused followed the police officer pursuing a suspect into the crowd, and in that connection came to the place where complainant J.D. Taylor was standing in the front of the crowd, not blocking the accused's way and not engaged in any violent activities;

(7) On October 6, 1989, at or about 2100 hours, the accused used a 26" baton to strike complainant J.D. Taylor in the stomach as he passed her in going to the aid of the officer pursuing the suspect in to the crowd;

(8) The accused, by striking complainant J.D. Taylor, without just cause, in the stomach with his baton as he passed her on the way to assist an officer pursuing a suspect into the crowd, has used unnecessary force, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the board."

SPECIFICATION NO. 2

(9) The allegations contained in Specification No. 1, paragraphs (1) through (7) are realleged and incorporated herein by reference as though set forth in full;

(10) On October 6, 1989, at or about 2100 hours, immediately after the accused struck complainant J.D. Taylor in the stomach with his 26" baton, the accused struck complainant Eric Wilcox in the mouth with the same 26" baton, and without justifiable reason;

(11) By striking the complainant Eric Wilcox in the mouth, the accused has violated the prohibition contained in General Order F-4, paragraph VIII.B(3), which states:

"B. If we are to obtain effective results, avoid unnecessary injury to suspects and minimize criticism of the Department, the baton must be used properly and judiciously.
...
3. ... Blows to the head, throat, side of the neck or armpit must be avoided whenever possible.

(12) The accused, by striking complainant Eric Wilcox in the mouth with his baton on the way to assist an officer pursuing a suspect into the crowd, without just cause for such use of force has used unnecessary force, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rule and Procedures shall be considered unofficer-like conduct triable and punishable by the board."

SPECIFICATION NO. 3

(13) On October 6, 1989, the accused struck complainant J.D. Taylor and complainant Eric Wilcox with his baton in the course of his assignment in connection with the demonstration as alleged in Specification No. 1 and Specification No. 2 hereinabove;

(14) The accused did not make a report that he had struck J.D. Taylor and Eric Wilcox, or either of them, with his baton on October 6, 1989 at approximately 2100 hours on Castro Street near its intersection with Market Street or at any other time;

(15) The accused, by failing to make a report that he had used force in connection with his duties at the demonstration, as alleged hereinabove, has engaged in conduct which constitutes a violation of Sections XII.A and XII.B of General order F-4 of the San Francisco Police Department, which states:

"XII. REPORTING USE OF FORCE

A. Officers must report the use of the following types of force:

1. Physical strength when injury to the suspect results.

2. Liquid chemical agent (Mace).

3. The Department issued baton when the suspect is struck.

4. When the officer finds it necessary to strike a suspect with a fist, flashlight or any other item.

5. Carotid Restraint.

B. In all cases in which any of the above types of force are used, an incident report will be prepared. The officer using the force will include the following elements in the test of the report:

1. The type of force used (e.g. mace, struck with fist).

2. A brief statement of the reason for the use of force (e.g. subject resisted arrest) ..."

SPECIFICATION NO. 4

(16) The allegations contained in Specification No. 1, paragraphs (1) through (4) are realleged and incorporated herein by reference as though fully set forth herein;

(17) On October 6, 1989, at or about 2100 hours, the accused and other officers confronted a group of persons at or near Castro and Market Streets in front of the Bank of America building;

(18) At the above time and place, the accused used a 26" baton to strike complainant Bryndis Tobin on the back of her right hand;

(19) Complainant tobin claims that the strike to her hand was without provoation and unnecessary;

(20) The accused, by striking complainant Bryndis Tobin, without just cause on the back of her right hand, used unnecessary force, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficency and discipline of the department, though such offenses are not specifically defined or laid down in there Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the board."

SPECIFICATION NO. 5

(21) The allegations contained in Specification No. 1, paragraphs (1) through (4), and paragraph (17) of Specification No. 4, are realleged and incorporated herein by reference as though fully set forth herein;

(22) Subsequent to striking complainant Tobin as set forth above, the accused struck complainant Patrict Michael Barnett on the forehead above his left eye with aforementioned 26 inch baton causing a laceration and injury;

(23) The strike to the head of complainant Barnette was without just cause or provocation and was unnecessary;

(24) By striking the complainant Patrick Michael Barnette on the head, the accused has violated the prohibition contained in General Order F-4, paragraph VIII.B(3), which states:

B. If we are to obtain effective results, avoid unnecessary injury to suspects and minimize criticism of the Department, the baton must be used properly and judiciously.
. . .

3. . . . blows to the head, throat, side of the neck or armpit must be avoided whenever possible."

(25) The accused, by striking complainant Patrick Michael Barnette on the head with his baton without just cause for such use of force, has used unnecessary force, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the board."

SPECIFICATION NO. 6

(26) The allegations contained in Specification No. 1, paragraphs (1) through (4), and paragraph (17) of Specification No. 4, are realleged and incorporated herein by reference as though fully set forth herein;

(27) On October 6, 1989, the accused struck complainants Bryndis Tobin and Patrick Michael Barnett with his baton during and in the course of his assignment in connection with the demonstration as alleged in Specification No. 4 and 5, hereinabove;

(28) The accused did not make a report that he had struck Bryndis Tobin and Patrick Michael Barnette, or either of them, with his baton on October 6, 1989, between 2100 and 2130 hours on Castro Street near its intersection with Market Street in front of the Bank of America, or at any other location or at any other time;

(29) The accused, by failing to make a report that he had used force in connection with his duties at the demonstration, as alleged hereinabove, has engaged in conduct which

constitutes a violation of Sections XII.A and XII.B of General Order F-4 of the San Francisco Police Department, which states:

"XII. REPORTING USE OF FORCE

A. Officers must report the use of the following types of force:

1. Physical strength when injury to the suspect results.

2. Liquid chemical agent (mace).

3. The Department issued baton when the suspect is struck.

4. When the officer finds it necessary to strike a suspect with a fist, flashlight or any other item.

5. Carotid Restraint.

B. In all cases in which any of the above types of force are used, an incident report will be prepared. The officer using the force will include the following elements in the text of the report:

1. The type of force used (e.g. mace, struck with fist).

2. A brief statement of the reason for the use of force (e.g. subject resisted arrest)..."

SPECIFICATION NO. 7

(30) The allegations contained in Specification No. 1, paragraphs (1) through (4) are realleged and incorporated herein by reference as though fully set forth herein;

(31) On October 6, 1989, at or about 2100 hours, the accused and other officers confronted a group of persons at or near Castro and Market Street in front of the Bank of America Building. Complainant Tobin claims that the strike to her hand was without provocation and unnecessary. Shortly after striking complainant tobin, the accused arrested and/or caused complainant Tobin to be arrested and taken into custody. The accused, by arresting and/or causing the complainant Bryndis Tobin to be taken into custody without just cause, engaged in an unwarranted action, which constitute a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct, or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 13, 1991 (Motion to Disqualify Counsel and Commissioner Craig, Motion to Dismiss all Complaints and Motion for Further Discovery and to Require OCC to Produce all Information in its Possession); Wednesday, March 20, 1991 (Motion for Dismissal of Specifications 5 and 6 and Hearing); Saturday, March 23, 1991; Wednesday, April 10, 1991 (Motion to Disqualify Commissioner Craig and Hearing); Saturday, April 13, 1991; Wednesday, May 22, 1991; and Tuesday, June 4, 1991, and on June 4, 1991, the matter was submitted to the Police Commission for decision; and

WHEREAS, the following decisions were made by the Commission:

SPECIFICATION NO. 1

Sustained

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

SPECIFICATION NO. 2

Dismissed

SPECIFICATION NO. 3

Sustained but dismissed as to complainant Eric Wilcox

AYES: Commissioners Campana, Craig, Giraudo, Keker
NAY: Commissioner Lee

SPECIFICATION NO. 4

Sustained

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

SPECIFICATION NO. 5

Not sustained

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

SPECIFICATION NO. 6

Not sustained

AYES: Commissioners Campana, Craig, Giraudo, Keker, Lee

SPECIFICATION NO. 7

Sustained

AYES: Commissioners Campana, Craig, Giraudo, Keker
NAY: Commissioner Lee

be it therefore;

RESOLVED, it is the decision of the Commission that the penalty feature be continued to Wednesday, June 5, 1991, following the regular meeting agenda.

Recess taken during the hearing of Captain Cairns:

6:40 p.m. to 6:50 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6222M

[MINUTES]

JUNE 5, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 5, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Craig, Giraudo, Keker, Lee
ABSENT: Commissioner Campana

APPROVAL OF MINUTES OF MEETING OF MAY 1, 1991

Approval of Minutes of Meeting of May 1, 1991, the Commissioners having received, approved, and returned copies of same.

DOCUMENTS DEPT.

NOV 5 - 1991

SAN FRANCISCO
PUBLIC LIBRARY

POLICE COMMISSION REPORT

Commissioner Keker said that the Commission met yesterday, June 4, 1991, in executive session at 4:00 p.m. pursuant to government code 54957.6, subject of which was labor negotiations. He stated that the Regular Meeting of July 3rd will not be held due to the July 4th holiday. He also stated that the Mayor has requested the Commission to designate either a Commissioner or representative of the Commission to serve on a committee that is a follow-up on the group of representatives from the taxi industry that under took analysis of the situation. Jerry Lee, head of taxi industry, and the Mayor is asking that an implementation plan be put together by a new committee. He asked the Chief to designate someone from the department who is familiar with the issue to attend the meetings.

Chief Casey will let Lieutenant Barretta known when designee is selected.

Commissioner Keker discussed report by the Chief regarding Patrol Special Officers failure to comply with an order regarding list of clients. The Commission accepted Chief's recommendations, namely referring to Management Control.

Commissioner Keker discussed reclassification and status of Housing Police Officers. The City Attorney has determined that the Commission has the authority to create new positions pursuant to charter section 3.530. The matter is calendared for July for further discussion and Chief's recommendation.

b.) PUBLIC COMMENTS

Rachael Letterman, attorney for Eric Wilcox, discussed OCC investigation regarding October 6, 1989 incident.

Gerard Koskovich requested to talk about Captain Cairns sentencing.

a.) MOTION ON CALENDARING OF NEW MATTERS

At this time, Commissioner Keker discussed placing Captain Cairns matter on calendar this evening. Motion by Commissioner Giraudo, seconded by Commissioner Lee to place matter on calendar.

CHIEF'S REPORT TO THE POLICE COMMISSION

Nothing to report other than calendared matters.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer stated that the new goals and strategies has been submitted to liaison Commissioners for review. Statistical reports were given to Lieutenant Barretta for distribution to Commissioners. Discussed recent visit from dignitary.

HEARING ON PROPOSED FEES FOR TAXICAB MEDALLION FOR FISCAL YEAR 1991-1992

Officer Farrell Suslow, Taxi Detail, made presentation. The matter was approved.

RESOLUTION NO. 105-91

FEES FOR TAXICAB MEDALLION FOR FISCAL YEAR 1991-1992

WHEREAS, pursuant to Section 1088(b), Municipal Police Code, the Police Commission is required to annually set the fee to be charged for issuance and replacement for lost/stolen metallic taxicab medallions; and

WHEREAS, a cost analysis of the personnel, time and duties required to perform the tasks necessary was made by the Permit Section; therefore be it

RESOLVED, the proposed amount of $25.00 per metallic taxicab medallion issued and a fee of $100.00 for issuance of a replacement for a lost/stolen metallic taxicab medallion is hereby approved by the Police Commission.

AYES: Commissioners Craig, Giraudo, Keker, Lee
ABSENT: Commissioner Campana

STATUS REPORT ON DEPARTMENT GENERAL ORDER D-22, "CITY OF REFUGE ORDINANCE"

Put over one week to June 12th.

PUBLIC DISCUSSION AND DEPARTMENT RESPONSE TO SAN FRANCISCO'S DOMESTIC VIOLENCE REPORT BY THE COMMISSION ON THE STATUS OF WOMEN

Lieutenant Grant Fahs presented the department response to the Commission on Status of Women report.

Rosario Navarette, staff of Commission on Status of Women, thanked Commission for hearing recommendations and discussed some items in report.

Jacqueline Actchuca?, co-chair of Board of Supervisors Task Force on Domestic Violence, discussed recommendations of that task force.

Karen Alcannis, coordinating attorney for cooperative restraining order clinic, discussed problems with restraining orders and enforcement of same.

Terry Low, victim of domestic violence, discussed experience while victim of domestic violence and problems during the violence. She asked for more support for system of domestic violence.

Jim Shadduck, Director of Men Overcoming Violence (MOV), recommended arresting rather than citing for domestic violence.

Carol Ito, Commission on Status of Women, thanked department and Commission for cooperation and asked support for recommendations.

Commissioner Craig asked procedure regarding restraining orders and Deputy Chief Reed responded.

REPORT BY THE MAYOR'S POLICE DISCIPLINE TASK FORCE AND PUBLIC DISCUSSION

Deputy Mayor Gayle Orr-Smith reported on the status of task force recommendations. She stated that document should be finalized this Friday and then reviewed and criticized. The document should be given to the Commission hopefully on the 21st for review and public testimony. The matter was then calendared for July 10th and member of Deputy Mayor's Office is to coordinate with Lieutenant Barretta to ensure that recommendations get to as many interested groups as possible including Human Rights Commission. Commissioner Keker asked members of the committee to attend the July 10th meeting.

PUBLIC DISCUSSION ON REDISTRICTING OF POLICE STATIONS

Deputy Chief Tom Murphy presented redistricting plan to Commission and public.

Speakers:

Frank Winston, President-Mid Market Association, complimented Chief and Commission for Tenderloin Task Force. Discussed Southern district boundaries and supported redistricting for downtown area.

Len Lundgren, Lakeside Property Association, opposed to Westwood Park into the Taraval District.

Harol Hoogasian, S.F. Council of District Merchants Association, talked of lack of notification of redistricting and asked for time to review plan.

Jackie Gordon, Greater West Portal Neighborhood Association, discussed time frame for plan.

Tom Fields, Planning Association Richmond District, is against redistricting and discussed parking and traffic.

Marvis Phillips, resident-Tenderloin, supported Tenderloin Task Force and discussed crime in area.

Paul Demurman discussed crime and the Tenderloin and suggested Tenderloin Task Force be a permanent company.

John Bardis, Inner Sunset Action Committee, is against change, stated it should have had plan sooner. Needs more time for review.

Edward Evans, senior and handicapped, applauded police department for efforts in the Tenderloin and discussed crime problems in same.

M. Schwartz, Potrero District resident, supported redistricting of Potrero Distreict.

Tom Jones, Western Addition, discussed crime and homeless in area.

The matter was then continued to June 19th for further public discussion and action.

PENALTY DECISION IN THE CHARGES FILED AGAINST CAPTAIN RICHARD J. CAIRNS, INVESTIGATIONS BUREAU

The sentencing in the charges filed against Police Captain Richard J. Cairns, Investigations Bureau, was called, it having been set for this date.

Mr. Robert Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Captain Richard J. Cairns appeared in person and was represented by Mr. Neil Eisenberg, Attorney at Law.

At the Special Meeting of the Police Commission on June 4, 1991, the following decision was made:

SPECIFICATION NO. 1

Sustained

SPECIFICATION NO. 2

Dismissed

SPECIFICATION NO. 3

Sustained but dismissed as to complainant Eric Wilcox

SPECIFICATION NO. 4

Sustained

SPECIFICATION NO. 5

Not sustained

SPECIFICATION NO. 6

Not sustained

SPECIFICATION NO. 7

Sustained

Based on these findings, the Commission requested a recommendation from Chief of Police Willis Casey. The following recommendation was made by the Chief of Police:

SPECIFICATIONS NO. 1, NO. 3, NO. 4 AND NO. 7

Forty-five (45) days suspension

The Commission took the matter under submission, deliberated and returned, and the following resolution was adopted:

RESOLUTION NO. 106-91

DECISION

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Police Commission orders the following discipline be imposed:

SPECIFICATIONS NO. 1, NO. 3, NO. 4 AND NO. 7

Forty-five (45) days suspension

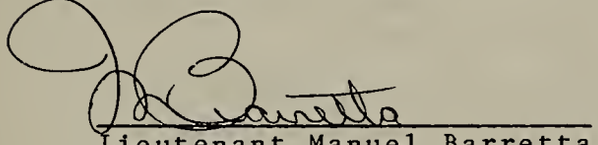
AYES: Commissioners Campana, Giraudo, Keker, Lee
NAY: Commissioner Craig

Following dissension vote by Commissioner Craig, she read into the record her written statement regarding her vote; and be it further

RESOLVED, that the forty-five (45) calendar days suspension shall commence on Saturday, June 22, 1991 at 0001 hours and end Monday, August 5, 1991 at 2400 hours.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 9:55 p.m.



Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6222M

SF [MINUTES]

JUNE 7, 1991 SPECIAL MEETING

Police Commissioner Gwenn Craig conducted a Closed Session in Room 551, Hall of Justice, 850 Bryant Street on Friday, June 7, 1991 at 9:00 a.m.

PROCEDURAL HEARING FOR TAKING OF EVIDENCE IN THE CHARGES AGAINST SERGEANT DONALD I. HENSIC, WARRANT BUREAU

The hearing for taking of evidence in the disciplinary charges filed against Police Sergeant Donald I. Hensic, Warrant Bureau, was called it having been continued from the meeting of May 14, 1991.

Mr. Robert A. Martin, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Sergeant Donald I. Hensic appeared in person and was represented by Mr. Peter Furst, Attorney at Law.

The following witness appeared for the Defense, was sworn and testified:

Captain Fernando Gamez, Support Services

The following witness appeared for the Prosecution, was sworn and testified:

Officer Sharon Ferrigno, #290, Park Station

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 6 pages from P.I.P. file of Sharon Ferrigno (3 pages Monthly Evaluations, 1 pg. Assignments and Details, 2 pages Chronological Log)

Exhibit #2 Copy of note to Sharon Ferrigno dated 3/7/89

The meeting was then adjourned at 1:00 p.m. to be continued to Friday, June 21, 1991 at 9:00 a.m.

Recesses taken during the hearing of Sergeant Hensic:

10:50 a.m. to 11:10 a.m.
12:05 p.m. to 12:15 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

M. Barretta

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

DOCUMENTS DEPT.
NOV 5 - 1991
SAN FRANCISCO PUBLIC LIBRARY

1137/rt
W/6222M/15

[MINUTES]

JUNE 12, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, June 12, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Craig, Giraudo, Keker, Lee
ABSENT: Commissioner Campana

APPROVAL OF MINUTES OF MEETING OF MAY 8, 1991

Approval of Minutes of Meeting of May 8, 1991, the Commissioners having received, approved and returned copies.

POLICE COMMISSION REPORT

Commissioner Keker stated that the Commission did not meet in executive session and therefore has nothing to report.

a.) MOTION ON CALENDARING OF NEW MATTERS

None

b.) PUBLIC COMMENTS

None

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chiefs Murphy and Reed report to the Commission on an incident that occurred at the Bank of Canton on June 7, 1991. The Commission was informed of the actions of the officers and the result and capture of the suspect. The incident involved a bank robbery and a hostage situation.

Chief Casey discussed towing vehicles from driveways. He stated that he had a meeting at the Mayor's Office with Rina Cutler (Parking & Traffic Commissioner). He discussed problems during transition period. He stated that until such time Parking and Traffic Authority is able to manage sending units to complaints of parking violations, the Police Department will resume total responsibility for that and sufficient parking control officers will be detailed to the department for that function.

Commissioner Craig inquired of the Chief about disciplinary cases returned by him and he stated the reason being nature and age of cases. Craig asked Chief to put policy in writing for returning cases.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer discussed updated copy of budget.

DOCUMENTS DEPT.
NOV 5 - 1991
SAN FRANCISCO
PUBLIC LIBRARY

RESOLUTION NO. 107-91

APPROVAL TO ACCEPT A GRANT FROM THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR GANG VIOLENCE SUPPRESSION TOTALING $140,000 ($105,000 FROM OCJP AND $35,000 FROM FY 1991-92 BUDGET)

WHEREAS, the Chief of Police has requested approval for the Gang Task Force to accept a grant from the Office of Criminal Justice Planning in the amount $140,000, $105,000 from OCJP and $35,000 from the fiscal year 1991-1992 budget; and

WHEREAS, the OCJP provides $105,000 and the cash match of $35,000 is provided by the Department Fiscal Year 1991-1992 budget; therefore be it

RESOLVED, that the Police Commission hereby approves the request that the Gang Task Force receive a state grant from the Office of Criminal Justice Planning amounting to $140,000.

AYES: Commissioners Craig, Giraudo, Keker, Lee
ABSENT: Commissioner Campana

REQUEST FOR POLICE COMMISSION APPROVAL OF REVISED "WRITTEN COMMUNICATION PROJECT", DEPARTMENT ORDER 3.01

Sergeant Mike Sullivan and Officer Sherman Acherson presented revised Written Communication Project Order 3.01.

RESOLUTION NO. 108-91

REVISION OF "WRITTEN COMMUNICATION PROJECT", DEPARTMENT ORDER 3.01

RESOLVED, that the Police Commission hereby approves the revised Department Order 3.01, "Written Communication System".

AYES: Commissioners Craig, Giraudo, Keker, Lee
ABSENT: Commissioner Campana

STATUS REPORT ON DEPARTMENT GENERAL ORDER D-22, "CITY OF REFUGE ORDINANCE"

No action necessary at this time. If something is passed by Board of Supervisors, an action will be necessary.

RESOLUTION NO. 109-91

SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER CLIFTON A. MATTHEWS, JR., COMMUNICATIONS DIVISION

WHEREAS, the setting of date to conduct taking of evidence by Commissioner Campana in the disciplinary charges filed against Police Officer Clifton A. Matthews, Jr., Communications Division, was called it having been continued from the meeting of April 24, 1991; and

WHEREAS, Mr. Tito Torres, Attorney at Law representing Officer Matthews, has waived the time limitation as set forth in General Order P-11, Section III-K, and the criminal charges on Officer Matthews has not yet been resolved; therefore be it

RESOLVED, that the setting of date for taking of evidence by Commissioner Campana in the disciplinary charges filed against Officer Clifton A. Matthews, Jr. is continued to Wednesday, June 26, 1991 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Craig, Giraudo, Keker, Lee
ABSENT: Commissioner Campana

RESOLUTION NO. 110-91

ASSIGNMENT OF A COMMISSIONER AND SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE APPEAL OF CHIEF'S SUSPENSION IMPOSED ON OFFICER CANDICE FUKUNAGA, INGLESIDE STATION

WHEREAS, the assignment of a Commissioner and setting of date to conduct taking of evidence in the appeal of the Chief's suspension imposed on Officer Candice Fukunaga, Ingleside Station, was called it having been set for this date; and

WHEREAS, Commissioner Edward Campana is hereby assigned to conduct taking of evidence in the appeal of Chief's suspension imposed of Officer Candice Fukunaga; therefore be it

RESOLVED, that the date for taking of evidence by Commissioner Edward Campana is set for Thursday, June 27, 1991 at 9:00 a.m. in Room 551, Hall of Justice.

AYES: Commissioners Craig, Giraudo, Keker, Lee
ABSENT: Commissioner Campana

PRESENTATION OF DEPARTMENT GOALS

At this time, Commissioner Edward Campana arrives.

Chief stated that the goals will be done on a fiscal year basis rather than calendar year. He stated that there will be a quarter report to the Commission. Commissioner Keker discussed what the Commission expects as to quarterly reports.

The following made presentations:

Lt. Donald Carlson, Management Control - Discipline Process
Lt. Gary Pisciotto, Staff Inspection - Report Writing
Lt. Michael Dower, Special Investigations - Hate Crime Unit
Capt. John Robinson, Communications
Lt. Thomas Mulkeen, Traffic
Capt. Michael Hebel, CPOP
Lt. Anthony Novello, FOB - Police Reserve Program
Lt. Thomas Suttmeier, Planning Division - Station renovations, etc.
Lt. Thomas Donohoe, Investigations
Steve Lutes, Planning - Crime Rates and Statistics
Capt. Michael Hebel, Career Development
Lt. Robert Berry, Academy - Training

The meeting, thereafter, was adjourned at 8:50 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6229M

[MINUTES]

JUNE 19, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, June 19, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Lee
ABSENT: Commissioners Giraudo, Keker

APPROVAL OF MINUTES OF MEETING OF MAY 15, 1991

Approval of Minutes of Meeting of May 15, 1991, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 118-91

POLICE COMMISSION APPROVAL TO ACCEPT A DONATION OF A 1984 FORD CLUB WAGON VAN FROM MRS. CAROLINE McCALL FOR USE BY THE SENIOR ESCORT PROGRAM

WHEREAS, Mrs. Caroline McCall has made a generous offer to donate a 1984 Ford Club Wagon valued at between $5,000 and $7,000 to be used by the Senior Escort Program, and

WHEREAS, it is necessary to obtain permission from the Board of Supervisors via a resolution in order to accept gifts which have a value of over $5,000; therefore be it

RESOLVED, the Police Commission has approved and hereby requests the Board of Supervisors of the City and County of San Francisco to adopt the attached resolution which will grant to the Police Department the authority to accept the gift of a 1984 Ford Club Wagon for use by the Senior Escort Program.

AYES: Commissioners Campana, Craig, Lee
ABSENT: Commissioners Giraudo, Keker

At this time, Commissioner Craig asked that a letter of thank you be sent to donor of 1984 Ford Club Wagon.

DOCUMENTS DEPT.

NOV 5 - 1991

SAN FRANCISCO PUBLIC LIBRARY

POLICE COMMISSION REPORT

a.) MOTION ON CALENDARING OF NEW MATTERS

Commissioner Lee stated that Officer Michael Walsh would like to calendar a hearing before the Commission. Mr. Jerry Akins, attorney for the department, stated that Officer Michael Walsh will plead no contest to the charges, his counsel wishes the matter be calendared for July 24th.

Commissioner Campana requested that Supervisor Gonzales' request regarding 911 System be calendared. This item will be calendared for June 26th.

b.) PUBLIC COMMENTS

Peter Fowler, attorney for Frameline Producer of Gay and Lesbian Film Festival, discussed sound permit for Pink Saturday event and problems of street closure in area of festival. Chief Casey responded that he is looking into the matter.

Al Trigueiro, President of POA, read an open letter published in the POA paper, "Notebook", regarding the Captain Cairns decision and request that Commissioner Craig resign her position as Commissioner.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey discussed traffic accident in Chinatown wherein a child was killed.

Commissioner Craig discussed recent parking concerns specifically autos parking at curb cuts and whether any action by the Commission is necessary for general order, etc. Chief Casey responded that only an information bulletin is necessary and that his office will take care of the matter.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer said that there is nothing to report except the matters calendared for this evening.

OCC POLICY RECOMMENDATIONS

Mr. Michael Langer, OCC Director, presented policy recommendations and Lieutenant Gary Pisciotto of Staff Inspection Unit, presented department response.

Sarah Campos, SF Lawyers Committee, discussed City of Refuge Ordinance and General Order D-22.

Don Hesse, Human Rights Commission, discussed City of Refuge Ordinance, more training and CPOP officer involvement.

General Order D-22, "City of Refuge Ordinance", is rescheduled for July 24. All OCC recommendations were discussed with the department and Commission and no action is necessary at this time as the written directive system is presently being restructured and will be presented when the directives are rewritten and ready for review.

PUBLIC DISCUSSION ON REDISTRICTING OF POLICE STATIONS

Speakers:

Jackie Sacks, resident Richmond District, against redistricting.

David Nile, Inner Sunset, discussed concerns of redistricting.

Minnie Ward, OMI, supports redistricting.

Allan Chalmers, Inner Sunset, discussed concerns.
Jim Feliciano
Dom Bertone
Julie Cavanaugh, Visitacion Valley
Barbara Holeman
Joe Valenessi, Parkside Improvement Club
Anna Toniski supported redistricting.
Jackie Gordon, Greater West Portal Neighborhood Association
Lois Shumm, Quesada Residents Association
Loraine Lucas
James Haggey
Bill Taylor, OMI
Calvin Davis
Lila Weiss, Bayview/Hunters Point
Patricia Clark, Taraval/West Portal Business Owner
Toni Dominski, Potrero Hill Neighborhood Association

The matter was then put over for public discussion on July 10th.

The meeting was thereafter adjourned.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6237M

SF
P45
#2
6/26/91

MINUTES

JUNE 26, 1991 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice 850 Bryant Street on Wednesday, June 26, 1991 at 5:30 p.m. in a Regular Meeting.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

APPROVAL OF MINUTES OF MEETING OF MAY 29, 1991

Approval of Minutes of Meeting of May 29, 1991, the Commissioners having received, approved, and returned copies of same.

APPROVAL OF CONSENT CALENDAR

RESOLUTION NO. 121-91

REVISED DEPARTMENT GENERAL ORDER A-5, "ORGANIZATIONAL STRUCTURE"

DOCUMENTS DEPT.
NOV 5 - 1991
SAN FRANCISCO
PUBLIC LIBRARY

RESOLVED, that the Police Commission hereby approves revised Department General Order A-5, "Organizational Structure."

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 122-91

POLICE COMMISSION APPROVAL TO ACCEPT DONATION OF USED OFFICE FURNITURE BY PACIFIC BELL; VALUED AT APPROXIMATELY $75,000

WHEREAS, the City and County of San Francisco is in the process of acquiring the building located at 1 Jones Street for use by the Police Department; and

WHEREAS, no funds are available to furnish the facility once acquired, and

WHEREAS, Pacific Bell has made a most generous offer to donate $75,000 in used office furniture, and

WHEREAS, the Board of Supervisors must accept the gift; be it therefore

RESOLVED, that the Police Commission hereby approves the acceptance of a gift of furniture valued at $75,000 from Pacific Bell for use at 1 Jones Street.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

POLICE COMMISSION REPORT

Commissoner Giraudo stated that the Mayor's Disciplinary Task Force met and will meet again next week.

a.) MOTION ON CALENDARING OF NEW MATTERS

Officer Fukunaga's hearing is calendared for July 18th.

b.) PUBLIC COMMENTS

Gerard Koskovich discussed Cairns' penalty and read a statement asking the Chief not to participate in the Gay/Lesbian Freedom Parade.

Jill Tregor, CUAV, discussed Cairns' penalty.

Sergeant Stephanie Thorne expressed support for Chief's participating in parade.

Pat Tibbs, Lesbian/Gay Community, supports Chief in parade.

Officer Mitchell Gropeson supports Chief in parade.

Cornelius Conbly read a statement regarding Cairns' penalty.

An unidentified person discussed walkathon and street fair in the Tenderloin and thanked the Chief and Commission for support.

Inspector Woody Tennant discussed Chief's participation in parade and supported him.

Frank Martin del Campo, Local 790, discussed layoffs of three (3) civilian employees.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Casey reported the accidental shooting of Officer Terry Gregory and commended the doctors who treated him. He also stated that this is the second incident of this kind in recent weeks and stated that he will look at present procedures and reported back to the Commission.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Eileen Luna stated that Michael Langer is ill and discussed the draft of a brochure being prepared which explained the OCC procedure.

POLICE COMMISSION DISCUSSION ON REQUEST OF BOARD OF SUPERVISORS TO ESTABLISH CERTAIN POLICIES FOR THE PROVISION OF THE CITY'S EMERGENCY SERVICES AND ITS 911 SYSTEM

Captain Robert Fife, Communications, discussed response of the department to certain policy and provisions suggested by the Board of Supervisors. This matter is recalendared for July 10th. The Commission recognized Deputy Chief Fred Lau's birthday.

RESOLUTION NO. 119-91

POSSIBLE CHARGING OF FEES FOR PUBLIC SERVICES

WHEREAS, a public discussion was held on possible charging of fees for public services by the Police Department; and

WHEREAS, following a discussion motion was made by Commissioner Campana disapproving the charging of fees for public services by the Police Department, and the motion was seconded by Commissioner Giraudo; therefore be it

RESOLVED, the motion on disapproving charging of fees for public services was unanimously accepted by the Commission.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

RESOLUTION NO. 122-91

SETTING OF DATE TO CONDUCT TAKING OF EVIDENCE IN THE CHARGES AGAINST OFFICER CLIFTON A. MATTHEWS, JR., COMMUNICATIONS DIVISION

WHEREAS, the setting of date to conduct taking of evidence by Commissioner Campana in the disciplinary charges filed against Police Officer Clifton A. Matthews, Jr., Communications Division, was called it having been continued from the meeting of June 12, 1991; and

WHEREAS, Mr. Tito Torres, Attorney at Law, representing Officer Matthews, has waived the time limitation as set forth in General Order P-11, Section III-K, and the criminal charges on Officer Matthews has not yet been resolved; and therefore be it

RESOLVED, that the setting of date for taking of evidence by Commissioner Campana in the disciplinary charges filed against Officer Clifton A. Matthews, Jr. is continued to Wednesday, October 9, 1991 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Campana, Craig, Giraudo, Lee
ABSENT: Commissioner Keker

The meeting, thereafter, was adjourned at 7:00 p.m.

Lieutenant Manuel Barretta
Secretary
THE POLICE COMMISSION

1137/rt
W/6244M